



Saint Paul Planning Commission

City Hall Conference Center Room 40
15 Kellogg Boulevard West

Agenda

Christopher B. Coleman,
Mayor

June 10, 2011
8:30 – 11:00 a.m.

Saint Paul
Planning Commission

Chair

Jon Commers

First Vice Chair

Barbara A. Wencil

Second Vice Chair

Paula Merrigan

Secretary

Anthony Fernandez

I. Approval of minutes of May 27, 2011

II. Chair's Announcements

III. Planning Director's Announcements

IV. Zoning Committee

SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

NEW BUSINESS

#11-140-713 Forrest Lehman – Re-establishment of nonconforming use as a duplex. 859 Hoyt Avenue West. *(Sarah Zorn, 651/266-6570)*

#11-141-752 Gary Blair – Establishment of Legal Nonconforming Use for outdoor storage in a semi trailer. 1121 Minnehaha Avenue East, NE corner at Frank. *(Josh Williams, 651/266-6659)*

#11-141-212 Renaissance Fireworks Inc – Conditional Use Permit for seasonal outdoor sale of consumer fireworks with modification of days operation. 1674 Suburban Avenue, SE corner of intersection with Kennard. *(Kate Reilly, 651/266-6618)*

V. Comprehensive Planning Committee

VI. Neighborhood Planning Committee

District 6 Small Area Plan 40-Acre Study – Approve resolution to initiate a zoning study. *(Penelope Simison, 651/266-6554)*

District 9 Residential Zoning Study - Release for public review and set public hearing for July 22, 2011. *(Jessica Rosenfeld, 651/266-6560)*

District 9 Commercial Zoning Study - Release for public review and set public hearing for July 22, 2011. *(Lucy Thompson, 651/266-6578)*

VII. Central Corridor Brownfields Assessment Project – Informational presentation on current status by Josh Williams, PED staff. *(Josh Williams, 651/266-6659)*

VIII. Transportation Committee

Planning Director
Donna Drummond

Pat Connolly
Gene Gelgelu
Bree Halverson
Richard Kramer
Gaius Nelson
Christopher Ochs
Trevor Oliver
Julie Perrus
Marilyn Porter
Elizabeth Reveal
Anthony Schertler
Robert Spaulding
Terri Thao
Jun-Li Wang
Daniel Ward II
David Wickiser
Roxanne Young

IX. Communications Committee

X. Task Force Reports

XI. Old Business

XII. New Business

XIII. Adjournment

Information on agenda items being considered by the Planning Commission and its committees can be found at www.stpaul.gov/ped, click on Planning.

Planning Commission Members: PLEASE call Sonja Butler, 651/266-6573, if unable to attend.

**Saint Paul Planning Commission &
Heritage Preservation Commission**
MASTER MEETING CALENDAR

WEEK OF JUNE 6-10- 2011

Mon (6) _____

Tues (7) _____

4:00- **Comprehensive Planning Committee**
5:30 p.m. (*Penelope Simison, 651/266-6554*)

HAS BEEN CANCELLED

Weds (8) _____

Thurs (9) _____

5:00 p.m. **Heritage Preservation Commission**

Room 40 City Hall
Lower Level
Enter building on 4th Street

Staff Announcements

May Design Review Statistics
Legislative Hearing Notification

Historic Resource Review

936 Earl Street, *Historic Resource review* on a nuisance property declared by the Department of Safety and Inspections, Division of Code Enforcement. The property is a Vacant Building Category 3 and has been issued an order to abate. State Inventory #RA-SPC-1120 (*Spong, 651/266-6714*)

Design Review/Public Hearing

Summit Avenue south Frontage Road east of Snelling Avenue, *Summit Avenue West Historic District*, by Public Works Traffic Engineering, for a Certificate of Approval to realign the Summit Avenue south Frontage Road to improve merging conditions. File #11-018 (*Spong, 651/266-6714*)

255 E. 6th Street, *Lowertown Historic District*, by Gleeson Architects, for a Certificate of Approval to install glass block walls at the building corner on floors two through four, behind abandoned fire escape. File #11-017 (*Spong, 651/266-6714*)

Committee Reports

Education Committee (*Ferguson, Thomas, Trout-Oertel*)
Greater Lowertown Master Plan Task Force (*Ferguson*)
Saint Paul Historic Survey Partnership Project (*Trimble, Manning*)
3M Advisory Committee/Workgroups update (*Trimble, Mazanec*)

Fri (10)

8:30- Planning Commission Meeting
11:00 a.m. (*Donna Drummond, 651/266-6556*)

Room 40 City Hall
Conference Center
15 Kellogg Blvd.

Zoning..... SITE PLAN REVIEW – List of current applications. (*Tom Beach, 651/266-9086*)

NEW BUSINESS

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Neighborhood Planning

Committee..... District 6 Small Area Plan 40-Acre Study – Approve resolution to initiate a zoning study. (*Penelope Simison, 651/266-6554*)

District 9 Residential Zoning Study - Release for public review and set public hearing for July 22, 2011. (*Jessica Rosenfeld, 651/266-6560*)

District 9 Commercial Zoning Study - Release for public review and set public hearing for July 22, 2011. (*Lucy Thompson, 651/266-6578*)

Informational Presentation.... Central Corridor Brownfields Assessment Project – Informational presentation on current status by Josh Williams, PED staff. (*Josh Williams, 651/266-6659*)

**Saint Paul Planning Commission
City Hall Conference Center
15 Kellogg Boulevard West**

Minutes May 27, 2011

A meeting of the Planning Commission of the City of Saint Paul was held Friday, May 27, 2011, at 8:30 a.m. in the Conference Center of City Hall.

Commissioners Present: Mmes. Merrigan, Perrus, Porter, Thao, Wang, Wencil, Young; and Messrs. Commers, Connolly, Fernandez, Gelgelu, Kramer, Nelson, Ochs, Oliver, Schertler, Spaulding, Ward, and Wickiser.

Commissioners Absent: Mmes. *Halverson, and *Reveal
*Excused

Also Present: Donna Drummond, Planning Director, Peter Warner, City Attorney's Office, Allan Torstenson, Patricia James, Kate Reilly, and Sonja Butler, Department of Planning and Economic Development staff.

I. Approval of minutes May 13, 2011.

MOTION: *Commissioner Thao moved approval of the minutes of May 13, 2011. Commissioner Gelgelu seconded the motion. The motion carried unanimously on a voice vote.*

II. Chair's Announcements

Chair Commers had no announcements.

III. Planning Director's Announcements

Donna Drummond announced that the Steering Committee had discussed creating Planning Commissioner biographies. This would be a short paragraph with information about professional background, experiences and interests, and would be available on the City's website. The biographies will let the community know more about the Planning Commission, and help commissioners know each other better. The Heritage Preservation Commission already does this. Ms. Drummond will send out more information on this.

The Neighborhood and Comprehensive Planning Committees will start meeting in a different conference room in the City Hall Annex. The meeting location will be changed to the 13th floor conference room instead of the 11th floor conference room. The 13th floor conference room is bigger and is a better room for presentations because of a newly installed projection system.

The City Council held a public hearing on May 18th on the Planning Commission's recommendations on sign ordinances. There were a number of people testifying in favor of a proposal Councilmember Thune put forward to regulate interior window signs in businesses.

Councilmember Thune made a motion to lay the matter over for 180 days for additional study.

IV. Zoning Committee

STAFF SITE PLAN REVIEW – List of current applications. *(Tom Beach, 651/266-9086)*

Three items came before the staff Site Plan Review Committee on Tuesday, May 24, 2011: Beacon Bluff Parcel 2 at 837 Minnehaha Avenue E., demo and grading; City House-Upper Landing Park Event facility at 258 Mill Street, building improvements for catered events; and Nova Academy, new charter school at Madison at Mercer (Victoria Park), preliminary review.

Six items will come before the staff Site Plan Review Committee on Tuesday, May 31, 2011: Como Park High School Paving at 740 Rose Avenue, repave parking lots, drives, and build four new tennis courts; Oxford Community Center Field at 1079 Iglehart Avenue, new synthetic turf field and upgraded lighting; Hazeldon Parking Lot at 615 Drake Street, soil clean up and temporary parking lot; Libby Parking Lot at 855 Rice Street, demolish building and build a new parking lot; Chittenden Eastman Building at 2402 University Avenue West, new parking lot on lower level of existing building and repave/stripe existing parking area behind the building; and AGAPE School at 1037 University Avenue West, small addition to existing building and rebuild existing parking lot.

OLD BUSINESS

#11-129-965 Capitol Lien & Title/Tony Magnotta – Determination that vertical wind turbines are uses similar to cell phone antennas. 1010 Dale Street N., between Lawson and Hatch. *(Kate Reilly, 651/266-6618)*

Commissioner Kramer said that the Zoning Committee has recommended denial of the determination of similar use, but there has been additional discussion with staff about a different approach in this case.

Commissioner Spaulding said that at the Zoning Committee they struggled with how to properly make sure that this was not overly precedential, in terms of allowing a similar use in all B3 districts across the city. Currently there is a study underway to determine what the appropriate regulation might be for wind turbine setbacks. He supports referring the case back to the Zoning Committee to consider how to tailor a narrow set of conditions. It would also be useful for the Zoning Committee to consider the wind turbines as an accessory use that would provide electricity on the property.

MOTION: *Commissioner Kramer moved to refer this case back to the Zoning Committee for additional consideration at their June 16, 2011 meeting. Commissioner Spaulding seconded the motion. The motion carried unanimously on a voice vote.*

NEW BUSINESS

#11-135-208 Church of St. Mark – Conditional Use Permit for reuse of a large structure (former convent) as a residence for Saint Paul Seminary seminarians. 1976 Dayton Avenue, SE corner at Moore. *(Josh Williams, 651/266-6659)*

Commissioner Kramer clarified that the application was to house up to 25 seminarians and priests in the building.

MOTION: *Commissioner Kramer moved the Zoning Committee's recommendation to approve the conditional use permit. The motion carried unanimously on a voice vote.*

Commissioner Kramer announced that they also had discussion at the Zoning Committee about procedures when denying zoning applications, and Assistant City Attorney Peter Warner provided them with a detailed memo. He also announced the items on the agenda for the next Zoning Committee meeting on Thursday, June 2, 2011.

V. Comprehensive Planning Committee

Commissioner Merrigan said that at the last Planning Commission meeting the Comprehensive Planning Committee left something on the table that needs to be addressed. They talked about the parking amendments but the resolution was not officially announced. The Commissioners have that resolution in front of them at there places.

MOTION: *Commissioner Merrigan moved the Comprehensive Planning Committee's recommendation to approve the amendments as they are in the resolution. Commissioner Ward seconded the motion. The motion carried unanimously on a voice vote.*

Commissioner Merrigan announced that the next meeting is on Tuesday, June 7, 2011.

VI. Neighborhood Planning Committee

Solar Energy Systems Zoning Code Amendments – Release for public review and set public hearing for July 8, 2011. (Kate Reilly, 651/266-6618, and Allan Torstenson, 651/266-6579).

Kate Reilly, PED staff, gave a power point presentation, talking about how solar installations are currently regulated and the proposal for zoning code amendments related to solar energy systems. The current practice now is that they are treated as a permitted accessory use in all districts, with building mounted systems subject to dimension standards for the building. Freestanding systems are subject to dimension and location standards of accessory structures. Department of Safety and Inspections plan review and zoning staff review the application before permits are issued.

Ms. Reilly explained that there are two types of installations: building mounted and freestanding/active. The freestanding/active ones tend to maneuver to follow the track of the sun and the building mounted ones capture as much sun as they can. The code proposal is to permit solar energy systems in all zoning districts as an accessory use; a minor change would be made to language to ensure that the visual impact of rooftop equipment is reduced. The proposed amendments will add solar energy system to the accessory uses listed, clarify that building mounted systems are subject to the dimensional standards of the building, clarify that building mounted systems shall not exceed the height of a variety of roofs and shall not extend more than 12 feet above the surface of a flat or shed roof, and clarify that ground-mounted freestanding solar energy systems are regulated as accessory buildings with flat or shed roofs and shall not exceed 20 feet in height.

Ms. Reilly showed some local commercial examples of solar installations. In Saint Paul District

Energy has a one megawatt solar thermal installation integrated into its building. The Minneapolis Convention Center has a 60 kilowatt photovoltaic installation on its roof. She also showed slides of a solar heat installation on the roof at Flannery Construction in Saint Paul, a solar thermal installation on a Saint Paul home, and two more residential examples. Residential systems in general have become more sophisticated and design sensitive. They are usually integrated into the surface of the roof and there are even photovoltaic roof shingles, which means that the roof shingle itself is actually the solar energy system. There were several questions about glare. Current solar panels have a tinted glass to them so they do not give the kind of glare that the older solar installations have given off.

Donna Drummond, Planning Director, asked how snow impacts these systems. Ms. Reilly said she has not done any research on that but she will look into it.

Commissioner Thao asked if there are any freestanding systems in the Twin Cities.

Ms. Reilly said there is a proposal for a freestanding one on Eagle Place by the Science Museum. It would look like a building mounted one, but it would be freestanding so it does not rotate.

Commissioner Schertler asked if solar installations would be treated any differently than heating and cooling equipment on top of a building. Ms. Reilly said yes, that is exactly how the code requirements would deal with them.

Commissioner Spaulding asked about sloped roofs and the fact that an installation couldn't extend above the top of the ridge line. Some roofs do not have much of a slope. Would a variance be possible to accommodate these types of situations? Reilly said that a variance could be used to address this type of situation.

MOTION: *On behalf of the Neighborhood Planning Committee, Commissioner Wencil moved to release the draft for public review and set a public hearing on July 8, 2011. The motion carried unanimously on a voice vote.*

Commissioner Wencil announced the items on the agenda for the next Neighborhood Committee meeting on Wednesday, June 1, 2011.

VII. Planning Work Program Update – Presentation by Donna Drummond, Director of Planning.
(Donna Drummond, 651/266-6556)

Donna Drummond, Planning Director, referenced a spreadsheet that had been distributed showing the various projects that the planning staff and the historic preservation staff are working on. She wanted the Commission to see the full picture of the planning work program and also to preview what items will be coming to the various committees throughout the rest of the year. She proceeded to highlight several projects. There is a lot of work going on related transportation planning, including evaluating a number of corridor for future transit improvements. The airport zoning amendments for Holman Field are on hold because of a recent court ruling related to the Rochester airport, which created some liability for these new types of regulations.

There are many zoning studies underway and two will be coming to the Neighborhood Planning Committee at their next meeting. These are the District 9 Residential and District 9 Commercial

zoning studies. Today the Commission is releasing the solar zoning study recommendations and staff is working on the wind turbine zoning study.

Central Corridor continues to be a major part of the planning work program, and is also a large work program item for other staff in PED, Public Works, and other staff in the city. The major planning and zoning work is done. The station area plans are completed except the Hamline, Victoria and Western station area plans need to be adopted by City Council.

Ms. Drummond then commented on Heritage Preservation staff activities. This is not something that the Planning Commission oversees. The Heritage Preservation Commission is a separate commission but historic preservation staff is part of the planning staff team which the Planning Director supervises. Several neighborhood planning projects that Ms. Drummond then highlighted included the Near Eastside Task Force and the work related to the Ford plant redevelopment. The Ford plant will close at the end of the year. The Ford site is a major opportunity to figure out the best use of that 120+ acre site. The Neighborhood Planning Committee will be fairly busy through the end of the year. The Comprehensive Planning Committee will not be as busy this summer, but will have more items ready for later this year.

VIII. Transportation Committee

Commissioner Spaulding spoke about the three items the committee considered at their last meeting. They heard from the Ramsey County Regional Rail Authority on a study of rail traffic in the area known as Hoffman Junction and beyond, that is just east of the Union Depot. They also discussed the City's submission for the Regional Solicitation of Federal Transportation Projects that Met Council is funding from federal grants. Lastly they had a presentation about Nice Ride. Nice Ride is a bike rental program that is expanding its existing network of bike rental stations into Saint Paul this year. New stations will generally be located in the area of University, Selby, Marshall and Grand Avenue. Then next year they hope to add a number of locations around downtown. Nice Ride installs hubs with bicycles that can be rented through a self service system to ride from one hub to another making summer bicycle riding more palatable to a larger segment of the population.

Commissioner Kramer said that there concern about the Nice Ride program because none of stations are being located in the entire eastern third of the city. None are planned for districts 2,4,1,5 and nothing in the Como area either.

Commissioner Thao agreed with Commissioner Kramer and said that there is also a need around the Lake Phalen area.

Commissioner Spaulding said Nice Ride's model is to try and concentrate service as much as possible because they find that's where it's most successful, when people are able to ride from one hub to another within relatively close proximity.

Donna Drummond, Planning Director, added that Nice Ride is a nonprofit and the City is not funding it, although the City did spend a little money to help with the planning activity related to it. Nice Ride is a system that is gradually expanding and it has to remain somewhat compact to work well and has to gradually expand out from its existing system in Minneapolis and not leap frog to other parts of the city. The plan is that they would like to expand more in Saint Paul in the future including downtown. It is a matter of getting the funding to do this. They have gotten

some additional funding this year which has allowed this initial expansion into Saint Paul and there are plans to keep it growing.

Commissioner Ward said in regards to funding, is their model just to provide services based upon their ability to be awarded grants or is there some type of profitability and a percentage that they are using in order to do this expansion.

Ms. Drummond said she is not entirely sure of their business model, but they have to fund raise and they've gotten funds from Blue Cross/Blue Shield and the City of Minneapolis has put in a significant amount of money to facilitate this. Nice Ride does the fund raising for their capital cost to buy the bikes and the stations. People then subscribe to be members or pay a daily fee to use the bikes, which probably covers their operating cost.

Commissioner Wickiser said that the most cost effective use of Nice Ride is that someone purchases an annual membership for about \$40.00 and if they ride under half an hour then it is free. Therefore putting the stations in line between Minneapolis and Saint Paul essentially allows someone not to be charged to ride a mile or two then put the bike in the station get another bike and continue on. That is really the impetus for them connecting from Minneapolis to Saint Paul.

Ms. Drummond noted that this system is designed for short trips, and these are not like road bikes that go long distances. This is for short trips so you don't have to use your car and then look for parking. This helps people do local daily trips that are short distances.

IX. Communications Committee

Commissioner Thao had no report.

X. Task Force Reports

None.

XI. Old Business

None.

XII. New Business

None.

XIII. Adjournment

Meeting adjourned at 9:30 a.m.

Recorded and prepared by
Sonja Butler, Planning Commission Secretary
Planning and Economic Development Department,
City of Saint Paul

Respectfully submitted,



Donna Drummond
Planning Director

Approved _____
(Date)

Anthony Fernandez
Secretary of the Planning Commission

PED\butler\planning commission\minutes\May 27, 2011



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE

TUESDAY June 7, 2011

2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Yang Parking Lot Pave existing dirt lot. Add curb cut, rain garden, new patio and lighting 1046 Rice St
9:50	Hancock – Hamline School Parking Lot Modify parking lots and drop-off lane 1599 Englewood Ave.
10:20	Academia Caesar Chavez 4 Classroom Modular Building 1800 Ames Ave.
10:50	Strategic Materials Modify existing rail spur structures to accommodate rail car loading/unloading needs 195 Minnehaha Ave E.

To Applicants:

You should plan to attend this meeting.

At this meeting you will have a chance to discuss the site plan for your project with Saint Paul's Site Plan Review Committee. The Committee is made up of City staff from Zoning, Traffic, Sewers, Water, Public Works, Fire, and Parks. You are encouraged to bring your engineer, architect, or contractor with you to handle any technical questions raised by city staff.

The purpose of this meeting is to simplify the review process by letting the applicant meet with staff from a number of departments at one time. Staff will make comments and ask questions based on their review of the plans. By the end of the meeting you will know if the site plan can be approved as submitted or if revisions will be required. Staff will take minutes at the meeting and send you a copy.

Parking

Parking is available at on-street meters. Some off-street parking spaces are available in our visitor parking lot off of 6th Street at Jackson.

To see a map of additional nearby parking ramps go to
<http://www.ci.stpaul.mn.us/depts/dsi/liep/info/location.html>

If you have any questions, please call Mary Montgomery at 651-266-9088 or
mary.montgomery@ci.stpaul.mn.us.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

375 Jackson Street, Suite 220
Saint Paul, Minnesota 55101-1806

Telephone: 651-266-8989
Facsimile: 651-266-9124
Web: www.stpaul.gov/dsi

SITE PLAN REVIEW COMMITTEE
TUESDAY June 14, 2011
2nd Floor Conference Room
375 Jackson Street, Suite 218

<u>Time</u>	<u>Project Name and Location</u>
9:30	Laurel Apts Parking Lot #3 New asphalt on existing gravel lot 2057 Laurel Ave

To Applicants:

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If you have any questions, please call Mary Montgomery at 651-266-9088 or
mary.montgomery@ci.stpaul.mn.us.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: June 3, 2011
TO: Planning Commission
FROM: Zoning Committee
SUBJECT: Results of June 2, 2011 Zoning Committee Hearing

NEW BUSINESS

- | | | <u>Recommendation</u> | |
|----|--------------------------------------------------------------------------------------------------------------------|--------------------------|---------------------------------------|
| | | <u>Staff</u> | <u>Committee</u> |
| 1. | Forrest Lehman (11-140-713)
Re-establishment of nonconforming use as a duplex | Approval with conditions | Approval with conditions
(6 - 0) |
| | Address: 859 Hoyt Ave W
between Victoria and Fisk | | |
| | District Comment: District 10 recommended approval with conditions | | |
| | Support: 0 people spoke, 3 letters | | |
| | Opposition: 0 people spoke, 1 letter | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval with conditions | | |
| | | <u>Recommendation</u> | |
| | | <u>Staff</u> | <u>Committee</u> |
| 2. | Gary Blair (11-141-752)
Establishment of Legal Nonconforming Use for outdoor storage in a semi trailer | Approval with conditions | Approval with conditions
(6 - 0) |
| | Address: 1121 Minnehaha Ave E
NEcorner at Frank | | |
| | District Comment: District 4 recommended approval | | |
| | Support: 0 people spoke, 1 letter | | |
| | Opposition: 0 people spoke, 0 letters | | |
| | Hearing: Hearing is closed | | |
| | Motion: Approval with conditions | | |

3.

Renaissance Fireworks Inc (11-141-212)

Conditional Use Permit for seasonal outdoor sale of consumer fireworks with modification of days of operation

	<u>Recommendation</u>
<u>Staff</u>	<u>Committee</u>

Approval with
conditions

Approval with
conditions
(6 - 0)

Address: 1674 Suburban Ave
SE of intersection with Kennard

District Comment: District 1 recommended denial

Support: 0 people spoke, 0 letters

Opposition: 0 people spoke, 1 letter

Hearing: Hearing is closed

Motion: Approval with conditions

city of saint paul
planning commission resolution
file number
date

WHEREAS, Mr Forrest Lehman, File # 11-140-713, has applied for a Re-establishment of nonconforming use as a duplex under the provisions of §62.109 of the Saint Paul Legislative Code, on property located at 859 Hoyt Ave W, Parcel Identification Number (PIN) 232923120153, legally described as Como Ex N 30 Ft The E 63 44/100 Ft Of W 129 44/100 Ft Of Lot 5 Blk 12; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 2, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The property was placed on the Vacant Building list in May of 2009 as a Category 2 and has been vacant for more than 365 days, requiring the applicant to re-establish the duplex use. The applicant is proposing to rehabilitate the structure as a two-family dwelling and rent it out.
2. Section 62.109(e) states: *When a nonconforming use of a structure, or structure and land in combination, is discontinued or ceases to exist for a continuous period of three hundred sixty-five (365) days, the planning commission may permit the reestablishment of a nonconforming use if the commission makes the following findings:*
 - (1) *The structure, or structure and land in combination, cannot reasonably or economically be used for a conforming purpose.* This finding is met. The structure was built as a duplex. If the applicant were required to convert the structure to a single family home, they would be forced to incur a significant and unreasonable cost.
 - (2) *The proposed use is equally appropriate or more appropriate to the district than the previous nonconforming use.* This finding is met. The proposed use as a duplex is equally appropriate to the district as the previous duplex use.
 - (3) *The proposed use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The proposed use will not be detrimental to the existing character of development in the immediate neighborhood. Re-establishing the nonconforming use will put a structure back into service that has been vacant for the last two years. The proposed continued use of the duplex structure fits in with the surrounding neighborhood and adjacent single family structures.
 - (4) *The proposed use is consistent with the comprehensive plan.* This finding is met. The District 10 Plan supports the maintenance and improvement of the existing housing stock and expanding housing options for seniors, young people and first-time homebuyers (p. 2). The Housing Chapter of the Comprehensive Plan supports an increase in housing choice (strategy H1.1) across the city to support economically diverse neighborhoods.

moved by _____

seconded by _____

in favor _____

against _____

- (5) *A notarized petition of two-thirds of the property owners within one hundred (100) feet of the property has been submitted stating their support for the use. This finding is met. The petition was found sufficient on May 12, 2011: 14 parcels eligible; 10 parcels required; 10 parcels signed.*
3. The Planning Commission has established guidelines for applications for nonconforming use permits for duplexes. While not themselves requirements, these guidelines lay out additional more objective factors the Planning Commission wishes to consider in determining if the required findings for granting nonconforming use permits listed in §62.109 of the Zoning Code can be made. The Planning Commission's Duplex Conversion Guidelines state that for applications for nonconforming use permits for duplexes in residential districts, staff will recommend denial unless the following guidelines are met:
- A. *Lot size of at least 5000 square feet with a lot width or front footage of 40 feet. This finding is met. The lot size is approximately 11,500 sq. ft. and the lot frontage on Hoyt is 64 feet.*
 - B. *Gross living area, after completion of duplex conversion, of at least 1,500 square feet. Neither unit shall be smaller than 500 square feet. This condition is met. The units are 1,560 and 1,448 square feet respectively.*
 - C. *Three off-street parking spaces (non-stacked) are preferred; two spaces are the required minimum. This condition is met. There are three spaces in the existing garage.*
 - D. *All remodeling work for the duplex is on the inside of the structure unless the plans for exterior changes are approved by the Board of Zoning Appeals as part of the variance. (The Planning Commission will approve these changes for the cases they handle.) This condition is met. Other than exterior finishing, all remodeling work will take place inside the structure.*
 - E. *For the purpose of protecting the welfare and safety of the occupants of any structure that has been converted into a duplex without the necessary permits, a code compliance inspection shall be conducted and the necessary permits obtained to bring the entire structure into conformance with building and fire code standards; or the property owner must, as a condition of the approval, make the necessary improvements to obtain the necessary permits and bring the entire structure into building and fire code compliance within the time specified in the resolution. This condition is met. The applicant will work with the Department of Safety and Inspections to obtain the necessary code compliance documentation and permits.*

The application for the permit shall include the petition, a site plan meeting the requirements of section 61.401, floor plans, and other information as required to substantiate the permit. This finding is met. The applicant has submitted sufficient documentation to substantiate the permit.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Mr Forrest Lehman for a Re-establishment of nonconforming use as a duplex at 859 Hoyt Ave W is hereby approved subject to the condition that the applicant adhere to all applicable code requirements and receives a certificate of occupancy for a two-unit building.

From: "Chris Harkness" <chris.harkness@emid6067.net>
To: <Paul.Dubruiel@ci.stpaul.mn.us>
CC: <kim.moon@district10comopark.org>
Date: 6/1/2011 11:02 AM
Subject: Zoning File #11-140713

Re-Est. Nonconforming Use Permit
Forrest Lehman
859 Hoyt

Sarah Zorn
FYI

The District 10 Como Community Council Land Use Committee met last evening to hear Forrest Lehman's Nonconforming Use Permit application for the property at 859 Hoyt Avenue West. Mr. Lehman was not in attendance. No neighbors came to support or object to the reestablishment of this property as a duplex in a single-family zoned neighborhood. The committee voted to recommend approval of this application.

Thank you for your consideration.

Chris Harkness

Chris Harkness

District 10 Como Community Council

Land Use Committee Chair

chris.harkness@district10comopark.org



**ST PAUL PLANNING COMMISSION
ZONING COMMITTEE**
Public Hearing Notice

CITY OF SAINT PAUL
Dept. of Planning and
Economic Development
Phone: (651) 266-6589
Fax: (651) 228-3220

File # 11-140-713

Purpose: Re-establishment of nonconforming use as
a duplex

Property Address: 859 Hoyt Ave W, between Victoria and Fisk

File Name: Forrest Lehman

Hearing Date: Thursday, June 2, 2011, at 3:30 p.m.

You may send written comments to the Zoning
Committee at the address listed on the reverse side
of this card. Please call 651-266-6570, or e-mail
sarah.zorn@ci.stpaul.mn.us, or call your District
Council representative at 651-644-3889, if you have
any questions.

Location of Hearing:
City Council Chambers
Third Floor
City Hall / Court House
15 West Kellogg Blvd

Mailed: May 23, 2011

5/24/11

To the Zoning Committee:

I strongly oppose the use of 859 Hoyt Ave West
as a duplex. A house was turned into a duplex next
to my previous residence in St. Paul (Kilburn St).
Soon after, problem renters at the duplex required
multiple calls for service by the police. Thank you
for your consideration. Matt Parker 875 Montana
Avenue West

Samantha Langer - Fwd: Re: Public Hearing Notice set for June 2nd at 3:30pm. File # 11-140-713

From: Sarah Zorn
To: Langer, Samantha
Date: 6/2/2011 10:11 AM
Subject: Fwd: Re: Public Hearing Notice set for June 2nd at 3:30pm. File # 11-140-713

Additional testimony from the same person on #11-140-713.

>>> Gabriel Sveen <gabriel.sveen@gmail.com> 6/1/2011 11:06 PM >>>

Hi Sarah,

After writing my email to you I walked over to the property listed on the card. I was confusing this property with another home and felt I should correct my previous email.

The Duplex being referred to on the card appears to be well taken care of and appears to be an adequate candidate to be used as a duplex.

While I am still opposed to homes in the neighborhood I live in being rezoned as duplexes, it appears this home is already setup to function as a duplex and this rezoning public hearing is a bit late. I am not sure what the point of having a public hearing on this is when the home is obviously already modified into a duplex.

Regards,
 Gabe

On Wed, Jun 1, 2011 at 10:49 PM, Gabriel Sveen <gabriel.sveen@gmail.com> wrote:

Hi Sarah,

Your email was provided on the card that was sent to our home informing us of the Zoning Committee meeting being held on June 2nd 2011.

I am hoping that you can forward our written comments to the zoning committee since we will not be able to attend the Public Hearing at 3:30 PM due to being at work.

From what we can tell from the card that was sent, this hearing is to determine whether the single family home located a few houses from ours can be re-zoned as a duplex.

We are very much against having the zoning changed to allow this. Normally I am very open to allowing my neighbors to do pretty much whatever they want on their own property, however I am against this zoning change for the following reasons which I feel the zoning committee should take into account.

1. The home in question looks very run down which is not consistent with the other homes on the street. Making this home into a rental for two separate families/occupants will further wear on the home and could adversely affect property values in the homes nearby.

2. Our street is fairly narrow and during winter it is difficult for vehicles to pass on our street if there are cars parked on either side of the street from one another. We already have a number of vehicles regularly parked on our street and allowing a duplex could very easily result in a home consisting of 4 vehicles for the one home versus the typical two. This property was not built with the intent to house that many vehicles and as a neighbor this would cause unnecessary congestion to fellow neighbors in order to accommodate the wishes of the home owner requesting the zone change.

3. The home is not readily designed to be a duplex, nor does it physically appear to be a good candidate. While we are fine with this being a rental for a single family home, we are very opposed to having the home divided into two rentals at a lower rental point. I moved into my home in this neighborhood specifically so I would not be located near a high concentration of rental properties but near neighbors who are vested in taking care of their home and living in a community. Changing the zoning would set a bad precedence which could affect our home value.

The homes in this neighborhood were design to be single family homes and I do not approve of changing the zoning to allow this to change, specifically for a property which is in need of extensive maintenance. Our neighborhood would be adversely affected by allowing this home to be rezoned.

Please forward this to the appropriate people who are making the decision on the re-zoning at 3:30pm on June 2nd and let us know if there is anyone else at the zoning commission I should reach out to prior to the public hearing.

Regards,
 Gabe and Chris

Samantha Langer - Fwd: Duplex at 859 Hoyt Ave W

From: Sarah Zorn
To: Langer, Samantha
Date: 6/1/2011 10:50 AM
Subject: Fwd: Duplex at 859 Hoyt Ave W

Sam,
Would you please forward this testimony to the Zoning Committee? I'll have another one coming shortly from the D10 Land Use Committee.
Thanks,
Sarah

>>> JAN THIES VOLKENANT <jmtv3@msn.com> 5/30/2011 4:42 PM >>>

This property has been vacant for several years, which is undesirable in a residential neighborhood of single-family homes. I am in favor of its being brought up to code and occupied, preferably by an owner occupant, as this is not a typical rental neighborhood. I would not be particularly happy to have an "investor" absentee landlord, but I realize that it is not possible to regulate who buys it.

Jan Volkenant
873 Iowa Ave W
St Paul, MN 55117

city of saint paul
planning commission resolution
file number
date

WHEREAS, Gary Blair, File # 11-141-752, has applied for establishment of legal nonconforming use for outdoor storage in a semi trailer under the provisions of §62.109(a) of the Saint Paul Legislative Code, on property located at 1121 Minnehaha Avenue E, Parcel Identification Number (PIN) 282922430096, legally described as Terrys Addition Lot 13 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 2, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant owns and operates a retail carpet and flooring business in a residential zoning district at 1121 Minnehaha Ave E; the property already has legal non-conforming use status. The applicant has owned and operated the business in it's current location for over thirty years, and in 2008 was recognized by the City of Saint Paul with a *Good Gardener Award* for an outstanding garden at a business in Saint Paul.
2. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status if the commission makes eight findings. The findings and the applicant's ability to meet them are as follows:
 - (1) *The use occurs entirely within an existing structure.* This finding is met. Storage of carpet and other materials ordered by customers but not yet installed occurs entirely within the semi-trailer.
 - (2) *The use or use of similar intensity permitted in the same clause of the zoning code or in a more restrictive zoning district has been in existence continuously for a period of at least ten years prior to the date of the application.* This finding is met. The applicant states that the trailer has been in its current location for the entire time he has owned the property, a period of over thirty years. Aerial photographs from 2006, 2001, and 1997 show the same or a similar trailer parked in the same location on the lot. Direct visual inspection of the trailer on the property suggests that it has not moved in quite some time.
 - (3) *The off-street parking is adequate to serve the use.* This finding is met. The off-street parking requirement for the flooring businesses is met or legally non-conforming, and the accessory storage requires no additional off-street parking.
 - (4) *Hardship would result if the use were discontinued.* This finding is met. According to the applicant, the existing building housing the flooring business does not have sufficient space to accommodate both the showroom and product storage, and requiring the applicant to erect a permanent structure of sufficient size to accommodate storage needs would present a financial hardship.

moved by _____

seconded by _____

in favor _____

against _____

- (5) *Rezoning the property would result in "spot" zoning or a zoning inappropriate to surrounding land uses.* This finding is met. Outdoor storage is only allowed in industrial zones. The property is completely surrounded by residential zoning and uses, and rezoning to industrial would be inappropriate with regard to the surrounding residential uses.
- (6) *The use will not be detrimental to the existing character of development in the immediate neighborhood or endanger the public health, safety, or general welfare.* This finding is met. The use--storage entirely enclosed within a semi trailer--is not inherently detrimental to the character of the neighborhood, nor a danger to the public health, safety and general welfare, provided the structure is visually and functionally similar to a permanent structure in which storage would be permitted as an accessory use. This can be accomplished through continued maintenance of the structure, including but not limited to regular painting.
- (7) *The use is consistent with the comprehensive plan.* This finding is met. Policy LU 1.7 of the Saint Paul Comprehensive Plan is to *permit neighborhood serving commercial businesses compatible with the character of Established Neighborhoods*; establishing legal non-conforming use status for storage in a semi-trailer will facilitate the continued operation of the applicant's flooring business. The vision of the Dayton's Bluff District 4 plan includes the *promotion of the livability of the neighborhood by enhancing its appearance through cleanliness...and rectifying code violations*. Establishing legal non-conforming use of the semi trailer for storage with requirements to maintain the visual appearance will both enhance neighborhood appearance and rectify a code violation.
- (8) *A notarized petition of two-thirds of the property owners within one hundred (100) feet the property has been submitted stating their support for the use.* This finding is met. The petition was found sufficient on May 16, 2011: 14 parcels eligible; 10 parcels required; 10 parcels signed.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Gary Blair for establishment of legal nonconforming use for outdoor storage in a semi trailer at 1121 Minnehaha Avenue E is hereby approved, subject to the following conditions:

1. The semi trailer storage is legally nonconforming only as an accessory structure and use for a carpet and flooring business. When the principal use of the site changes to a use other than a carpet/flooring business, the legal nonconforming status of the semi trailer shall also cease.
2. The semi trailer shall be maintained in good repair, finished in an unobtrusive, neutral color, and kept free of rust and graffiti.
3. The area surrounding the semi trailer shall be kept free of litter and debris.

city of saint paul
planning commission resolution
file number
date

WHEREAS, Gary Blair, File # 11-141-752, has applied for establishment of legal nonconforming use for outdoor storage in a semi trailer under the provisions of §62.109(a) of the Saint Paul Legislative Code, on property located at 1121 Minnehaha Avenue E, Parcel Identification Number (PIN) 282922430096, legally described as Terrys Addition Lot 13 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 2, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. The applicant owns and operates a retail carpet and flooring business in a residential zoning district at 1121 Minnehaha Ave E; the property already has legal non-conforming use status. The applicant has owned and operated the business in it's current location for over thirty years, and in 2008 was recognized by the City of Saint Paul with a *Good Gardener Award* for an outstanding garden at a business in Saint Paul.
2. Section 62.109(a) of the zoning code provides that the Planning Commission may grant legal nonconforming use status if the commission makes eight findings. The findings and the applicant's ability to meet them are as follows:
 - (1) *The use occurs entirely within an existing structure.* This finding is met. Storage of carpet and other materials ordered by customers but not yet installed occurs entirely within the semi-trailer.
 - (2) *The use or use of similar intensity permitted in the same clause of the zoning code or in a more restrictive zoning district has been in existence continuously for a period of at least ten years prior to the date of the application.* This finding is met. The applicant states that the trailer has been in its current location for the entire time he has owned the property, a period of over thirty years. Aerial photographs from 2006, 2001, and 1997 show the same or a similar trailer parked in the same location on the lot. Direct visual inspection of the trailer on the property suggests that it has not moved in quite some time.
 - (3) *The off-street parking is adequate to serve the use.* This finding is met. The off-street parking requirement for the flooring businesses is met or legally non-conforming, and the accessory storage requires no additional off-street parking.
 - (4) *Hardship would result if the use were discontinued.* This finding is met. According to the applicant, the existing building housing the flooring business does not have sufficient space to accommodate both the showroom and product storage, and requiring the applicant to erect a permanent structure of sufficient size to accommodate storage needs would present a financial hardship.

moved by _____

seconded by _____

in favor _____

against _____

city of saint paul
planning commission resolution
file number
date

WHEREAS, Renaissance Fireworks, File # 11-141-212, has applied for a Conditional Use Permit for seasonal outdoor sale of consumer fireworks with modification of days of operation under the provisions of §65.526 of the Saint Paul Legislative Code, on property located at 1666-1712 Suburban Avenue, Parcel Identification Number (PIN) 342922440062, legally described as Suburban Square Addition Outlot A In Target-east St Paul & In Sd Suburban Square Add Lots 3 Thru Lot 7 Blk 1; and

WHEREAS, the Zoning Committee of the Planning Commission, on June 2, 2011, held a public hearing at which all persons present were given an opportunity to be heard pursuant to said application in accordance with the requirements of §61.303 of the Saint Paul Legislative Code; and

WHEREAS, the Saint Paul Planning Commission, based on the evidence presented to its Zoning Committee at the public hearing as substantially reflected in the minutes, made the following findings of fact:

1. Renaissance Fireworks proposes to occupy approximately 9 parking spaces in the parking lot of the Suburban Square shopping center for the purpose of selling consumer fireworks. A 20 ft. x 40 ft. tent will be erected for the sales. The leased area will also include space for a locked storage container to hold the fireworks when the business is closed. The tent is proposed to be erected on June 17th with proposed sales dates starting June 24 and ending July 4, 2011, a period of 11 sales days.
2. The Zoning Code permits the outdoor sale of consumer fireworks as a conditional use in the B3 community business district subject to the standards and conditions of Section 65.526. Minnesota Statutes Sec. 624.20 Subd. 1(d) in essence requires that outdoor sales of fireworks be permitted in those zoning districts where other outdoor sales are permitted, and the Saint Paul zoning code permits certain other outdoor sales in the B2 community business district. The standards and conditions for outdoor commercial sale of consumer fireworks are as follows:

- (a) *The standards and conditions of section 65.525 shall apply: Sec. 65.525 states: The use shall not conflict with off-street parking, off-street loading and the system of pedestrian flow. The planning commission, in determining that the use is harmonious with adjacent uses, shall require the submission of a site plan including a floor plan and all uses within three hundred (300) feet of the boundary of said site superimposed on said site plan. This condition is met. The area where the tent is proposed to be located is near a vacant storefront in the shopping center. In addition, many of the shopping center's other retail spaces are vacant, including several of the storefronts on the east end of the shopping center, near where the tent is proposed to be located. The location of the tent is in the same place where snow is stored during the winter season. The loss of the 9 spaces will leave 142 spaces for parking for the other retail uses in the lot, and will provide adequate parking for the fireworks stand.*
- (b) *The use shall obtain all necessary permits from the city. Permits for outdoor sale of consumer fireworks shall be valid from June 25 to July 5 each year, during the*

moved by _____

seconded by _____

in favor _____

against _____

Independence Day holiday season. This condition is partly met. The applicant will apply for the required permit from the Saint Paul Fire Marshal. The applicant proposes sales for a different period of time two full weekends prior to the July 4 holiday (June 24 to July 4 this year), while the zoning code limits the sales to the period from June 25 to July 5. The applicant has requested a modification of this requirement.

- (c) *All items offered for sale shall be kept within the sales structure. The sales structure shall be located at least twenty (20) feet from any other structure.* This condition is met. The applicant's plan shows a sales tent where the items will be kept. The tent is at least 30 feet from the nearest structure.
- (d) *The sales structure shall be located at least one hundred (100) feet from the closest property line of any property used or zoned for residential use (excluding mixed commercial-residential uses).* This condition is met. The closest residentially zoned or used property is at least 600 feet away.
- (e) *An outdoor no-smoking area of fifty (50) feet surrounding the perimeter of the structure shall be maintained on the property. The fifty-foot non-smoking area must be physically marked. No portion of any public sidewalk, boulevard right-of-way, public street, or alley may fall inside the perimeter.* This condition can be met. The buffer area does not include any portion of a public sidewalk, boulevard, street, or alley. The applicant has proposed locations for posting no smoking signs at the perimeter of the tent and storage container area and at the entrances to the drive aisles on either side of the sales area. The location of all no smoking signs should be placed as directed by the Fire Marshal.
- (f) *The structure shall not be located within fifty (50) feet of a motor vehicle fuel dispenser.* This condition is met. There are no motor vehicle fuel dispensers in the Suburban Square shopping center.
- (g) *When the structure is unoccupied and not open for business, merchandise shall be secured or removed from the site.* This condition is met. The applicant states that the fireworks will be stored in a secure, metal container with tamper proof locks when the business is closed

3. §61.501 lists five standards that all conditional uses must satisfy:

- (1) *The extent, location and intensity of the use will be in substantial compliance with the Saint Paul Comprehensive Plan and any applicable subarea plans which were approved by the city council.* This condition is met. While the Sun-Ray-Suburban Small Area Plan Summary seeks to "restrict outdoor sales to seasonal items sold by businesses already located on the site; discourage outdoor sales by itinerant businesses," state law directs municipalities to allow the seasonal sales of legal fireworks. Since the comprehensive plan must be consistent with state statutes, the language in this case should be interpreted as discouraging temporary outdoor sales uses by itinerant businesses in general, but excepting seasonal outdoor sales of consumer fireworks.
- (2) *The use will provide adequate ingress and egress to minimize traffic congestion in the public streets.* This condition is met. The management company for the shopping center states that the entrance near which the fireworks tent is proposed to be located is underutilized.
- (3) *The use will not be detrimental to the existing character of the development in the immediate neighborhood or endanger the public health, safety and general welfare.* This condition is met. This use is temporary and seasonal in nature and will not permanently change the character of the area. Provided the applicant complies with all of the requirements of the National Fire Prevention Association (NFPA) standard as enforced by the Fire Marshal, the use will not endanger the public health, safety or general welfare.

- (4) *The use will not impede the normal and orderly development and improvement of the surrounding property for uses permitted in the district.* This condition is met. The use will be temporary and seasonal in nature and will not impede the development and improvement of other properties in the Suburban Square shopping center for uses permitted in the B2 zoning district.
 - (5) *The use shall, in all other respects, conform to the applicable regulations of the district in which it is located.* This condition is met. The use is seasonal and located in a temporary structure, and complies with applicable regulations. The sales area within the tent requires 6 off-street parking spaces, which are available in the existing shopping center parking lot.
4. The planning commission may approve modifications of special conditions when specific criteria of §61.502 are met: *strict application of such special conditions would unreasonably limit or prevent otherwise lawful use of a piece of property or an existing structure and would result in exceptional undue hardship to the owner of such property or structure; provided, that such modification will not impair the intent and purpose of such special condition and is consistent with health, morals and general welfare of the community and is consistent with reasonable enjoyment of adjacent property.* This finding is met. The applicant proposes selling consumer fireworks for two weekends (Friday, Saturday and Sunday) before July 4 (June 24 to July 4, 2011), rather than the more limited time (June 25 to July 5) set forth in Sec. 65.526. The applicant has asked to have the tent set up from June 17 to July 5. The applicant has demonstrated that he will suffer a financial hardship of a loss of 10 percent of his business if not allowed to begin selling on June 24. The sales period will be the same number of days as that provided in the code. In this case, strict application of the condition would unreasonably limit this temporary, seasonal sales business, which would result in exceptional undue hardship to the applicant. Ending sales on July 4 results in sales occurring the same number of days as permitted in the code, so that the modification will not impair the intent and purpose of the condition, is consistent with the health, morals, and general welfare of the community, and is consistent with reasonable enjoyment of the adjacent shopping center property.

NOW, THEREFORE, BE IT RESOLVED, by the Saint Paul Planning Commission, under the authority of the City's Legislative Code, that the application of Renaissance Fireworks for a Conditional Use Permit for seasonal outdoor sale of consumer fireworks with modification of days of operation at 1666-1712 Suburban Avenue is hereby approved with the following conditions.

1. A permit from the Fire Marshal is approved and posted as required.
2. The use complies with all local and state regulations pertaining to the sales of consumer fireworks.
3. The consumer fireworks shall be securely stored during non-sales hours.
4. The dates of operation may begin two full weekends (Friday, Saturday and Sunday) prior to July 4 and shall end on July 4.

**AGENDA
ZONING COMMITTEE
OF THE SAINT PAUL PLANNING COMMISSION
Thursday, Jun 2, 2011 3:30 P.M.
City Council Chambers
Third Floor City Hall - Saint Paul, Minnesota**

NOTE: The order in which the items appear on this agenda is not necessarily the order in which they will be heard at the meeting. The Zoning Committee will determine the order of the agenda at the beginning of its meeting.

APPROVAL OF May 19, ZONING COMMITTEE MINUTES

SITE PLAN REVIEW – List of current applications (Tom Beach, 651-266-9086)

NEW BUSINESS

- 1 11-140-713 Forrest Lehman**
Re-establishment of nonconforming use as a duplex
859 Hoyt Ave W,
R3
Sarah Zorn 651-266-6570

- 2 11-141-752 Gary Blair**
Establishment of Legal Nonconforming Use for outdoor storage in a semi trailer
1121 Minnehaha Ave E, NEcorner at Frank
RT1
Josh Williams 651-266-6659

- 3 11-141-212 Renaissance Fireworks Inc**
Conditional Use Permit for seasonal outdoor sale of consumer fireworks with
modification of days of operation
1666 -1712 Suburban Ave, SE of intersection with kennard
B2
Kate Reilly 651-266-6618

ADJOURNMENT

ZONING COMMITTEE MEMBERS: Call Patricia James at 266-6639 or Samantha Langer at 266-6550 if you are unable to attend the meeting.

APPLICANT: You or your designated representative must attend this meeting to answer any questions that the committee may have.



CITY OF SAINT PAUL

Christopher B. Coleman, Mayor

25 West Fourth Street
Saint Paul, MN 55102

Telephone: 651-266-6700
Facsimile: 651-228-3220

DATE: June 2, 2011
TO: Planning Commission
FROM: Neighborhood Planning Committee
SUBJECT: 40-Acre Zoning Study for the District 6 Small Area Plan

Attached is a resolution initiating a 40-acre study in connection with the preparation of the District 6 small area plan.

Background

The Planning Commission in March initiated preparation of a district-wide small area plan for District 6 that is intended to include three major components, including the still-relevant policies from adopted small area plans; strategies for Como/Front/Dale, the Neighborhood Center identified in the *Comprehensive Plan*; and, strategies for the industrial areas that, in part, address the conflicts between existing residential and industrial uses on industrially zoned land. In addition, the *Jackson-Arlington Small Area*, adopted in 1991, is scheduled to be updated.

The industrially-zoned area includes large and smaller industrial businesses, both those developed relatively recently and long-standing businesses that have been in operation for many years. District 6 was concerned about the numbers of residential uses within the industrial area, the conflicts between these disparate uses, as well as the impacts of the industrial area on adjacent residential neighborhoods.

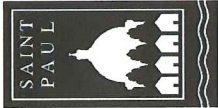
A community based task force, authorized by the Commission in March, has been discussing approaches for dealing with the residential-industrial conflicts. Even though the discussions are continuing, it has become clear that any approaches for addressing the conflicts are likely to require zone changes within the study area.

Consequently, it is necessary to initiate a 40-acre study so that possible zone changes can be scrutinized fully.

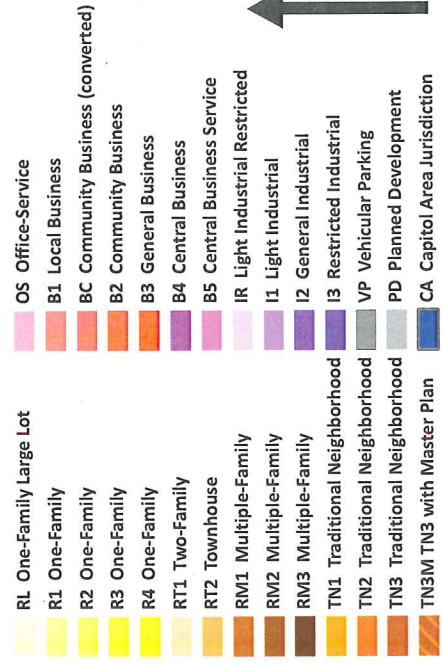
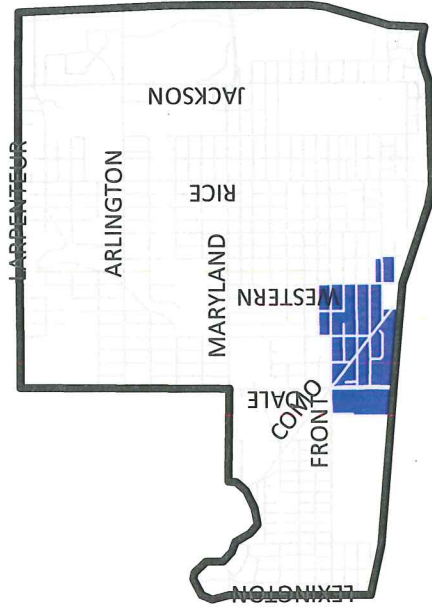
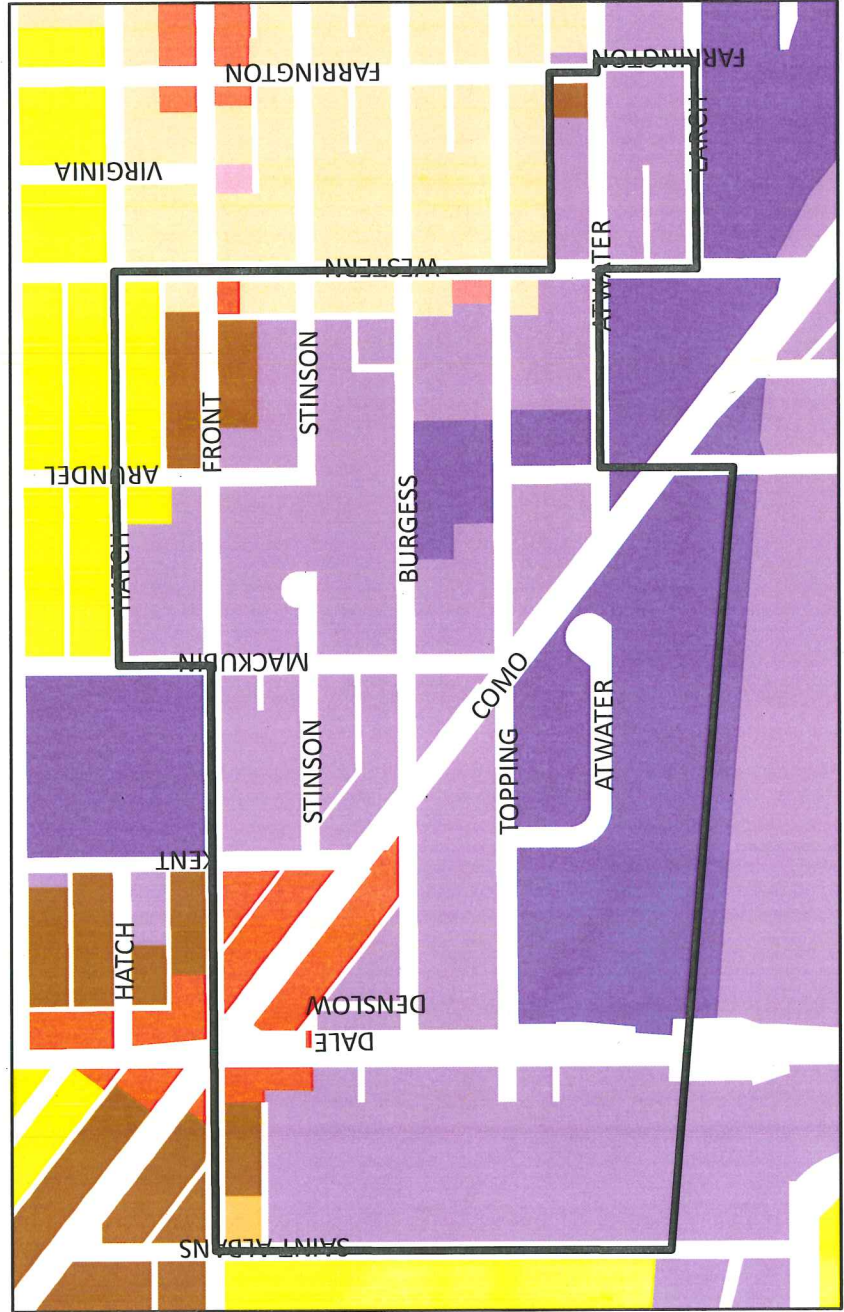
The map depicting the boundaries of the 40-acre study will be distributed at the meeting.

Committee recommendation: That the Planning Commission initiate a 40-acre study to accompany work on the district-wide small area plan.

If there are questions, please call Penelope Simison at 266-6554.



District 6 - 40-Acre Study



city of saint paul
planning commission resolution
file number _____
date _____

DISTRICT 6 SMALL AREA PLAN

INITIATION OF 40-ACRE STUDY

WHEREAS, the City, under Minnesota Statutes 462.351 ff. and 469.002, subd. 14, has jurisdiction, respectively, over planning and redevelopment of lands,

WHEREAS, the Planning Commission has approved guidelines for the preparation of district and small area plans, as well as a template for the format of the planning document; and

WHEREAS, the Planning Commission on March 18, 2011, initiated preparation of a District 6 small area plan and formation of a community-based steering committee to study the following issues:

- The industrially-zoned land within District 6;
- An update of the *Jackson-Arlington Small Area Plan*;
- An analysis of policies within adopted small area plans, including Loeb Lake, Rice Street, Great Northern Corridor, and Trout Brook Greenway small area plans;
- An analysis of how policies in the *Saint Paul Comprehensive Plan* can be translated into specific strategies for the District 6 planning area.

WHEREAS, the boundaries of the District 6 Small Area Plan are consistent with the boundaries of District 6; and

WHEREAS, the community-based steering committee is discussing possible approaches for addressing conflicts between residential and industrial uses within the study area; and

WHEREAS, approaches for addressing the conflicts may include possible zone changes; and

WHEREAS, the City of Saint Paul Department of Planning and Economic Development will provide staff to facilitate the planning process, provide technical assistance, coordinate with other City departments and, with the input and support of the community, will produce a planning document.

moved by _____
seconded by _____
in favor _____
against _____

NOW, THEREFORE, BE IT RESOLVED, that the Planning Commission hereby initiates a 40-acre study for the areas depicted on the attached map;

BE IT FURTHER RESOLVED, that the steering committee previously appointed by the Commission will prepare the 40-acre study for review by the Commission and City Council.

FINALLY BE IT RESOLVED, that conclusions of the 40-acre study, after recommendation by the Planning Commission and adoption by the City Council, will be amendments to the Saint Paul *Zoning Code*.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

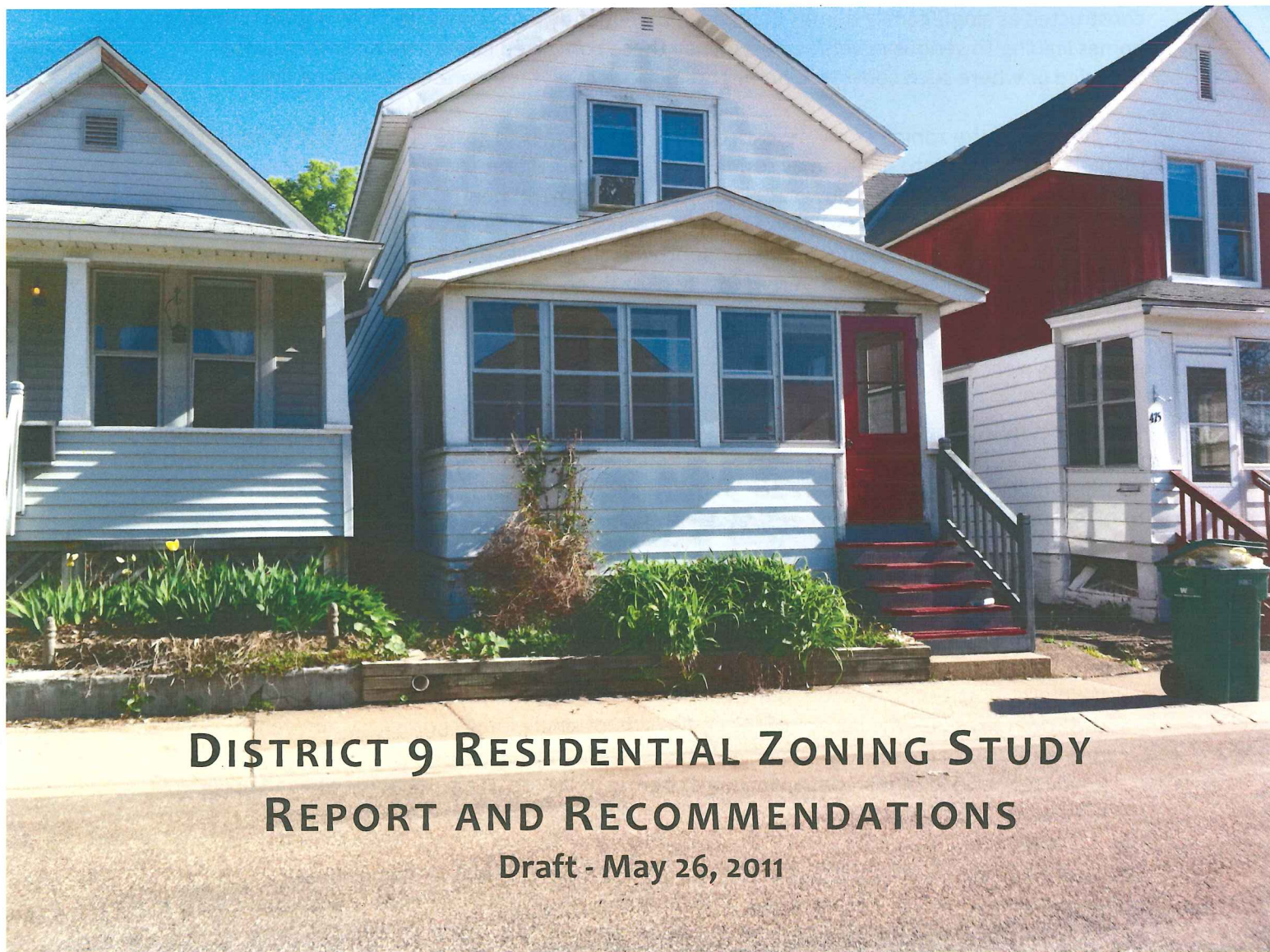
*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6565
Facsimile: 651-228-3261*

DATE: June 3, 2011
TO: Planning Commission
FROM: Neighborhood Planning Committee
SUBJECT: District 9 Residential Zoning Study

The District 9 Residential Zoning Study has been drafted by staff and is ready for release. The study was prepared in response to a request from City Council, and examines the area between Interstate 35E, Smith Avenue, Shepard Road, and Grace Street. The Neighborhood Planning Committee recommends the Planning Commission release the District 9 Residential Zoning Study, attached, and set a public hearing for July 22, 2011.

Attachment



BACKGROUND

On October 27, 2010, the Saint Paul City Council passed a resolution requesting a zoning study of rezoning the area of District 9 bounded by Grand Avenue to the North, Interstate 35E to the Northwest, Smith Avenue to the East, Shepard Road to the Southeast and Grace Street to the South. In its resolution, the City Council expressed concern about residential structures originally constructed as single-family homes that have subsequently been converted into duplex or triplex homes leading to serious adverse affects when these converted homes are no longer owner occupied or where such converted homes are not occupied for extended periods of time.

The purpose of the zoning study described in the resolution is to “assess the impact of converting single-family homes into multifamily residences [in the study area] as well as to make any recommendations regarding down-zoning or any other amendment(s) to the City’s official controls which would preserve the prevailing character of the said neighborhood.” A moratorium on the issuance of zoning and building permits or approvals that would permit an existing single-family home in the study area to be converted to a two- or three-unit dwelling is also in place.

PLANNING PRECEDENTS

The District 9 Area Plan, adopted by the City Council on July 7, 2010, envisions a growing community that integrates new housing units into the existing density of the community, maintains the existing housing stock, and retains its character. The plan addresses a number of housing issues of concern to District 9 residents, as well as key strategies related to residential zoning:

1. Maintain the character of existing residential areas by keeping zoning appropriate to residential neighborhoods.
- ...
3. Study rezoning the area of District 9 bounded by Grand Avenue to the North, Interstate 35E to the Northwest, Smith Avenue to the East, Shepard Road to the Southeast and Grace Street to the South to assess the impact of the conversion of single family homes to multi-family residences and consider downzoning with the intent to prevent future conversions of single-family homes and require deconversion of homes designed as single-family when the property has been vacant for 365 days.

The Land Use Plan, adopted as part of City of Saint Paul Comprehensive Plan, describes Established Neighborhoods as places characterized almost entirely by single-family houses and duplexes, as well as scattered small scale multi-family housing, and states that the character of Established Neighborhoods should be maintained (LU-1.5). Most of the land within the study area is designated as Established Neighborhoods. The density goal for Established Neighborhoods is 3-20 units per acre.

The Land Use Plan also designates two kinds of corridors for growth – Mixed-Use Corridors and Residential Corridors. Mixed-Use Corridors are thoroughfares that are served by public transit and include areas where two or more land uses occur in close proximity. West 7th Street, which runs through the heart of the study area, is designated as a Mixed-Use Corridor. Residential Corridors are street corridors that run through Established Neighborhoods and are characterized by medium-density residential uses. Western Avenue, which runs north-south through the study area, and Saint

Clair Avenue, which runs east-west, are designated as Residential Corridors. The density goal for Residential Corridors is 4-30 units/acre.

The City of Saint Paul Housing Plan, adopted as part of the Comprehensive Plan, includes policies on increasing housing choice across the city to support economically diverse neighborhoods (H-1.1). These choices should include a mix of rental and ownership units, a range of housing types, and diversity of income levels.

STUDY AREA TODAY

EXISTING LAND USE

The study area today consists largely of single-family houses with some duplexes, triplexes, and larger multifamily housing. There are two large institutional uses in the study area: Jefferson Elementary School and the West 7th Community Center. West Seventh Street runs diagonally through the study area; because it is commercial/mixed-use character, properties along West Seventh are not being examined in this zoning study. Magic's Auto Repair (237 Richmond) is not a residential use, but is currently zoned RT2. The study area is bounded by 35E on the north and by railroad tracks and the river to the south.

Staff used a combination of field work and Ramsey County data to create a map of the existing duplexes, triplexes, and apartment buildings in the area. More duplexes and triplexes are identified in Ramsey County tax records than were found by staff in the field; many of the duplexes and triplexes identified in Ramsey County records are tax forfeited and are in the process of being returned to their original use as single-family homes. A map of current residential land uses, prepared with assistance from Fort Road Federation staff, is attached (Map 1).



Figure 1: Banfil Street

The street and block pattern in the study area is unique. Single-family lot size varies significantly, from very small (360 Emma is just 880 square feet) to fairly large (506 Harrison is 16,588 square feet). Twenty-two percent of the residential lots in the study area are 4,000 square feet or fewer. The median lot size is 4,797 square feet. There are very few alleys in the study area, and many of the streets dead end at the highway, railroad tracks, or West 7th. Streets like Banfil and Superior are very narrow and lack boulevard areas, and have very small setbacks from the street (Figure 1). There are a number of vacant houses in the area, many of which are being rehabbed (Figure 2).



Figure 2: 26-32 Douglas

EXISTING ZONING

Most of the study area north of West 7th is currently zoned RT2, except the Winslow Commons property on Western (zoned RM3) and Osceola Commons (RM2). South of West 7th, the area west of Dousman is zoned RM2, while the area to the east of Dousman is zoned RT2. A map of the current zoning is attached (Map 2).

The RT2 townhouse residential district provides for two-, three-, and four-family and townhouse structures, along with civic and institutional uses, public services and utilities that serve residents in the district. It is intended to provide for a variety of housing needs and to serve as zones of transition between one- and two-family residential districts and multiple-family residential districts and business districts. The district recognizes the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-, three-, or four-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. The RT2 district further provides for housing that has many of the amenities of single-family dwellings arranged in a low-density, multiple-family pattern.

The RM2 medium-density multiple-family residential district is intended to provide for more extensive areas of multiple-family residential development and a variety of congregate living

arrangements, as well as uses that serve the needs of the multiple-family residential districts. It is intended to provide for comprehensive development of multiple-family uses and a balance of population concentration near major thoroughfares, transit, and related facilities.

The RM3 high-rise multiple family residential district is intended to provide sites for high density multiple-dwelling structures adjacent to high-frequency transit service and high traffic generators commonly found in the proximity of major shopping centers and areas abutting major thoroughfares and expressways. It is also designed to serve the residential needs of persons desiring apartment-type accommodations with central services as opposed to the residential patterns found in the RM1 and RM2 multiple-family residential districts. The high-rise nature of the district is provided to allow for greater density with lower coverage, which will in turn result in more open space.

STAFF ANALYSIS

Single-family homes, duplexes, triplexes, and apartments are a part of all of Saint Paul's neighborhoods, and provide a valuable range of housing choices for the community. Staff was directed to assess the impact of conversions of single-family homes to duplexes and triplexes in the study area.

The conversion of single-family homes to duplex/triplex uses may impact the surrounding neighborhood. In some cases, the impacts of duplex/triplex conversions are physical – conversions may necessitate the addition of new exterior housing features, such as external staircases that change the appearance of the house (Figure 3). Duplexes and triplexes that are used as rental housing may have negative impacts on neighbors if they are not well managed or adequately maintained, but in these cases the negative impact stems from poor management of rental property rather than duplex/triplex conversions.

The actual number of duplexes and triplexes in the study area seems to have decreased dramatically over the last 25 years (down from 163 duplexes and triplexes in the area in 1986 to 90 in 2011 – a 45 percent decrease). In recent years, at least, there have not been many conversions of single-family homes to duplexes/triplexes.; there are only eleven duplexes/triplexes now that were single-family houses in 1986.

Staff performed a field assessment of whether existing duplexes/triplexes



Figure 3: 295 Goodhue

are original or converted single-family houses (Map 1). Classification of duplexes/triplexes as converted or original was based on field observation of house form, entryways, porch configurations, etc. (Figure 4). In cases where it was not clear that a property was originally built as a duplex/triplex, staff assumed the property was converted. Twenty-one percent of the area's duplexes /triplexes appear to be original.

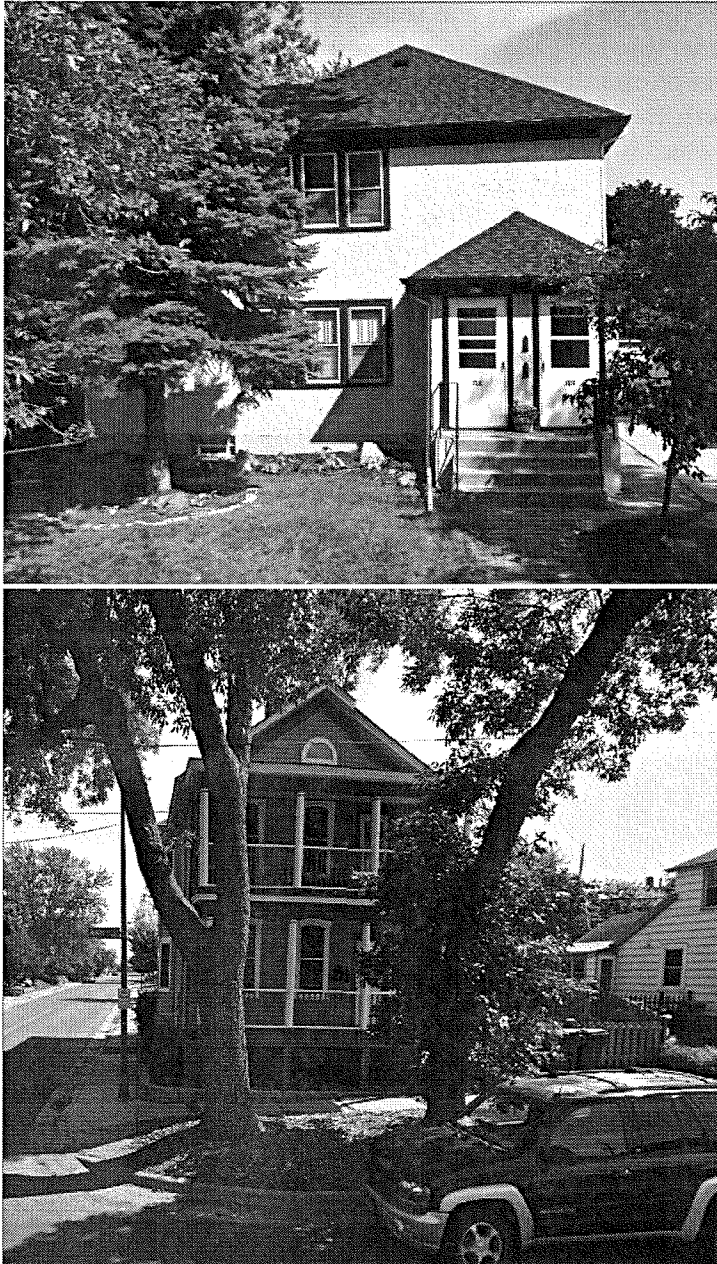


Figure 4: 373 Goodrich (top) and 204 Ann (bottom)

predominantly single-family homes, and makes sense given the area's many small lots, lack of alleys, and narrow roadways. 44 duplexes/triplex properties would become nonconforming under the proposed R4 zoning.

Under the current RT and RM2 zoning, parcels must meet minimum lot size standards to accommodate multiple units. For a new duplex, or a conversion of a one-family house to a duplex, the lot must be at least 6,000 square feet and 50 feet wide. For a new triplex or conversion to a triplex, the lot must be at least 9,000 square feet and 50 feet wide. Yard setback requirements and lot coverage maximums must also be met. Map 3 shows parcels in the study area that are large enough and have sufficient lot widths to accommodate a duplex under the current zoning (setbacks and lot coverage were not considered in the analysis). Of the 758 parcels that are currently zoned RT2 or RM2 in the study area, 109 parcels meet the lot-size requirements for duplexes (14 percent). Again, however, there does not appear to be significant development/conversion pressure on these lots in the current market.

PROPOSED ZONING

R4 zoning is a good fit for most of the study area. Map 4 shows the proposed zoning. The R4 one-family residential district provides for an environment of predominantly low-density, one-family dwellings along with civic and institutional uses, public services and utilities that serve the residents in the districts. R4 zoning reflects the current land use of

There are some places where staff recommends zoning other than R4:

1. Parcels that are currently being used for multifamily housing. There are a number of four-plexes in the study area that would become nonconforming under R4 zoning, and are instead generally proposed to retain their current RT2 zoning or be downzoned to RT2 from RM2. The Superior Street Cottages at Duke/Superior would also retain their RT2 zoning (Figure 5). There are a few exceptions where the multifamily housing is built on small lots and where RT1 zoning seems to be a better fit, like 371 Sturgis (a four-plex on a 3,049 square foot lot).



Figure 5: Superior Street Cottages

2. Parcels containing original duplexes or parcels in areas where there are three or more duplexes/triplexes or multifamily-housing properties clustered together. These parcels are generally proposed to be downzoned from RT2 to RT1. The RT1 two-family residential district provides for an environment of predominantly low density one- and two-family dwellings along with civic and institutional uses

and public services and utilities that serve the residents in the district. The district recognizes

the existence of older residential areas of the city where larger houses have been or can be converted from single-family to two-family residences in order to extend the economic life of these structures and allow the owners to justify the expenditures for repairs and modernization. 281 Banfil is an exception; Banfil's unique street character, lack of setbacks, and small lots make R4 a better choice (Figure 6).

3. Parcels with larger multi-family housing. The Winslow Commons parcel is proposed to retain its current RM3 zoning. Osceola Commons would retain its RM2 zoning, and Henry Courts would be rezoned RM2 from RT2.

4. Parcels close to West 7th and along Smith north of West 7th. Many of the parcels close to West 7th that are zoned for residential uses may over time transition to other uses. Twenty-two parcels are proposed to be rezoned to TN1 and 22 are proposed to be rezoned TN2.



Figure 6: 281 Banfil

The TN1 traditional neighborhood district is intended to provide for compact, pedestrian-oriented mixed-use areas of limited size, with a variety of residential, office and service uses that primarily serve neighborhood needs. It is also intended to serve as a transitional use of land along major thoroughfares, between commercial or industrial districts and residential districts or other less intensive land uses. Properties proposed to be rezoned to TN1 include Magics Auto Repair shop (237 Richmond – Figure 7) , the Salvation Army property (397 Smith), MacDonald Montessori (175 Western), and St. Stanislaus church (398 Superior).



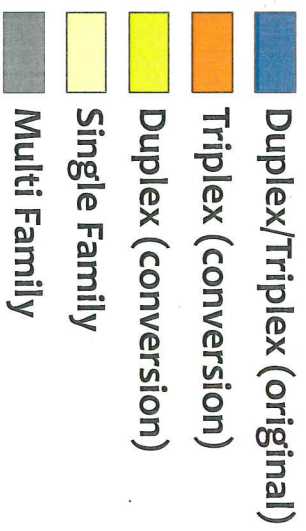
Figure 7: 237 Richmond

The TN2 traditional neighborhood district is designed for use in existing or potential pedestrian and transit nodes. Its intent is to foster and support compact, pedestrian-oriented commercial and residential development that, in turn, can support and increase transit usage. It encourages, but does not require, a variety of uses and housing types, with careful attention to the amount and placement of parking and transitions to adjacent residential neighborhoods. Properties proposed to be rezoned TN2 include some small business uses along Michigan east of Western that are currently zoned B3 and the apartments along Western south of Michigan.

5. Parcels that are currently split zoned. There are a few parcels in the study area that are split zoned between two or more zoning categories. The Degidio's parcel at 425 W. 7th is currently zoned B2 and RT2. The RT2 portion of the parcel is proposed to be rezoned B2 to match the remainder of the parcel. The Mancini's parcel at 535 W. 7th is split between RT2, B2, and VP zones. The proposed zoning changes the RT2 portion of the parcel to VP to reflect its current use as parking. 317 Goodhue is currently split zoned RM2 and B3. The proposed zoning does not change the B3 portion of the lot but proposes RT1 for the balance of the parcel.

6. Railroad parcels. There are a few railroad parcels along the southeastern boundary of the study area that are currently zoned RM2. These parcels are proposed to take on the zoning of the parcel to the south of the study area - OS between Colborne and Western and I2 between Western and Saint Clair.

Map 1: Residential Land Uses

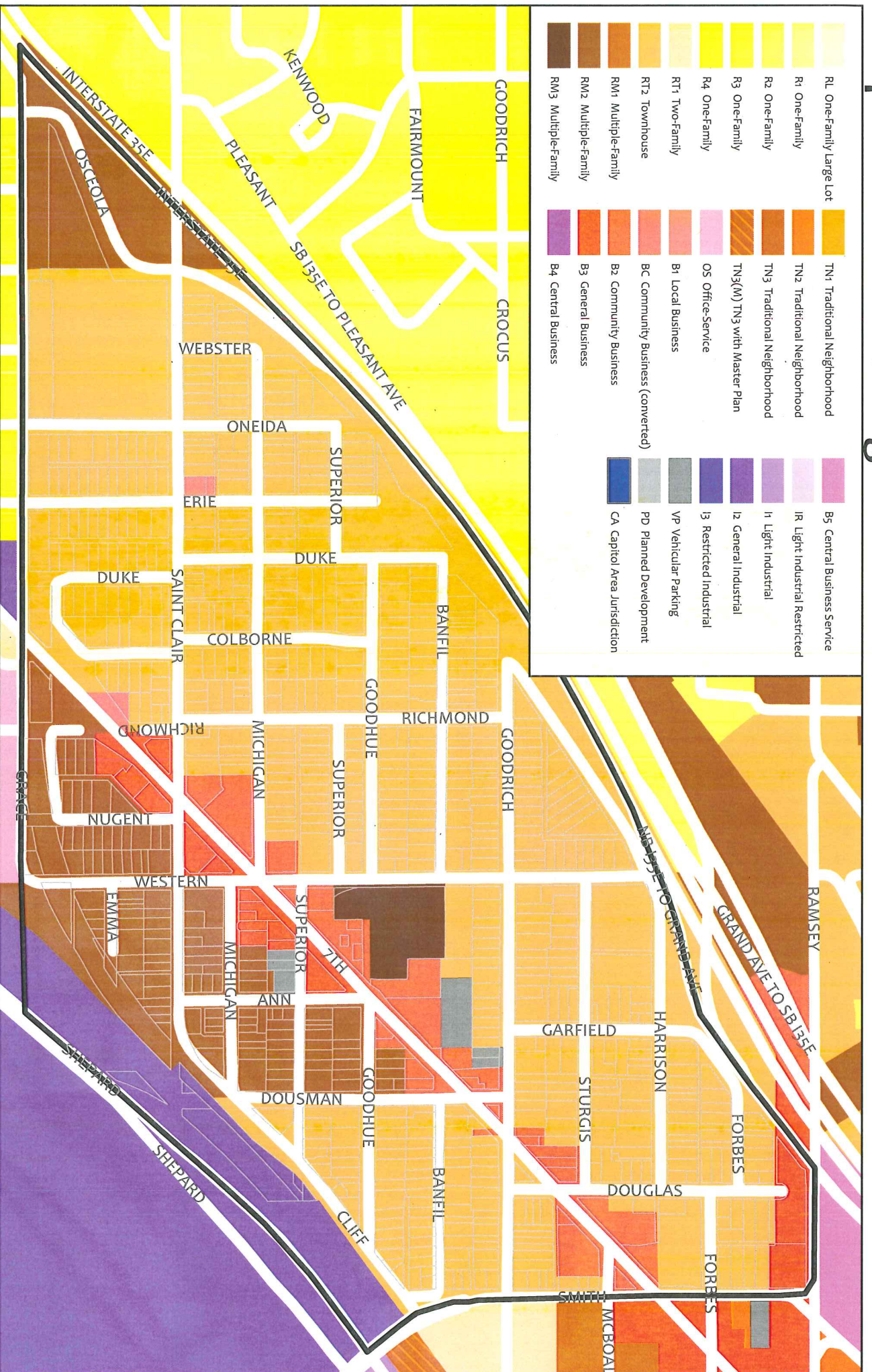


Data source: Ramsey County, fieldwork.

Classification of duplexes/triplexes as converted or original based on field observation of house form, entryways, porch configurations, etc.

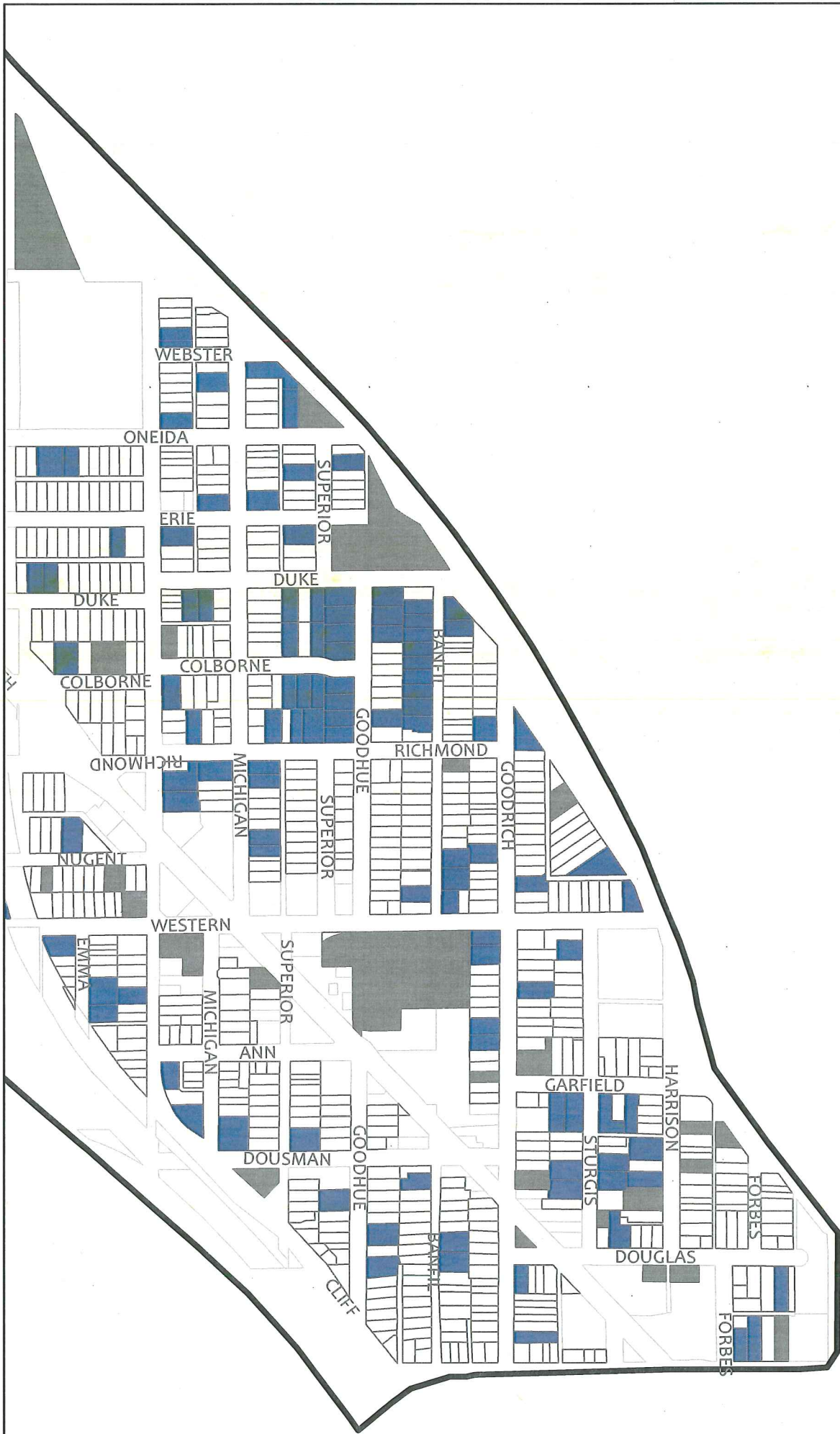
In cases where it was not clear that a property was originally built as a duplex/triplex, staff assumed the property was converted.

Map 2: Current Zoning















Zoning effective as of March 16, 2011

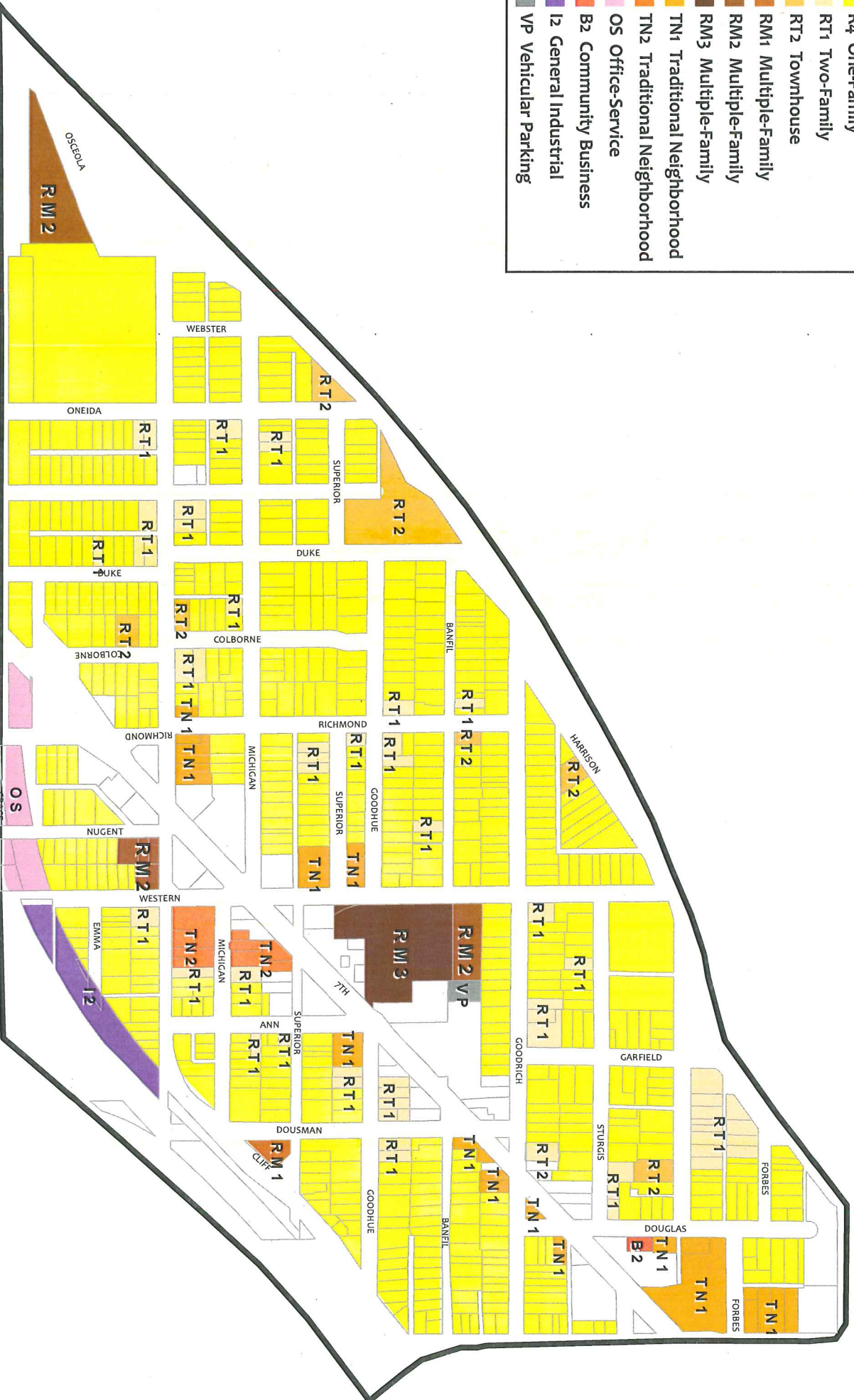
Map 3: Minimum Lot Size Requirements for Duplexes



Parcels in blue meet minimum lot size standards for duplexes under current zoning. For a new duplex, or a conversion of a one-family house to a duplex, the lot must be at least 6,000 square feet and 50 feet wide. Setback requirements and lot coverage were not considered in this analysis.

Map 4: Proposed Zoning

	R4 One-Family
	RT1 Two-Family
	RT2 Townhouse
	RM1 Multiple-Family
	RM2 Multiple-Family
	RM3 Multiple-Family
	TN1 Traditional Neighborhood
	TN2 Traditional Neighborhood
	OS Office-Service
	B2 Community Business
	I2 General Industrial
	VP Vehicular Parking



Map 5: Nonconforming Duplexes/Triplexes in Proposed R4 Zones



Parcels in green are currently being used as duplexes or triplexes. Duplexes and triplexes are not a permitted use in the R4 district.



CITY OF SAINT PAUL
Christopher B. Coleman, Mayor

*25 West Fourth Street
Saint Paul, MN 55102*

*Telephone: 651-266-6565
Facsimile: 651-228-3261*

DATE: June 2, 2011
TO: Planning Commission
FROM: Neighborhood Planning Committee
SUBJECT: District 9 Commercial Zoning Study Recommendations

BACKGROUND

The *District 9 Area Plan*, adopted by the City Council on July 7, 2010, contains strategies in the areas of housing, jobs and economic development, community development, land use, historic preservation and aesthetics. Shortly after the Plan was adopted, it was rumored that one of the parcels near the intersection of W. 7th and Grand Avenue/Ramsey Street was going to change hands, raising community concern about the future land use and zoning at this important gateway to the neighborhood. In addition, a large auto repair business vacated a building at 414 W. 7th, and the community saw it as an opportunity to redevelop the site with a mixed-use residential/commercial building that would be in scale with the adjacent residential fabric.

On October 27, 2010, the City Council passed a resolution requesting the Planning Commission "to undertake a zoning study to assess whether the B3 zoning classification of said gateway parcel and the parcels specified herein which are adjacent to the gateway parcel within District 9 would further the District 9 Area Plan's Jobs and Economic Development Strategies calling for the preservation of businesses and jobs in the District while at the same time complementing the District's Housing Objectives." At the same time, a one-year moratorium was placed on the issuance of zoning and building permits or approvals in the study area. The study area boundaries were identified as Grand Avenue on the north, Leech Street on the east, Goodrich Street on the south, and W. 7th and Smith on the west. The zoning study and moratorium exempt parcels zoned RT1, RT2, RM1 and RM2 within the larger study area.

On May 13, 2011, the Planning Commission initiated the District 9 Commercial Zoning Study, consistent with the parameters laid out in the October 2010 City Council resolution.

EXISTING CONDITIONS

The study area is centered on W. 7th Street between Grand/Ramsey and Goodrich streets, and contains 27 parcels that are zoned non-residential (residentially-zoned parcels were expressly excluded from both the moratorium and study area). Most of these parcels (20) are zoned B3 General Business. Three parcels are zoned B2 Community Business, two parcels are zoned T2 Traditional Neighborhood, and two parcels are zoned VP Vehicular Parking. The non-residential parcels are generally

bordered by RT2 Townhouse zoning on the north side of W. 7th, and a combination of RM1 Multiple-Family and RT1 Two-Family on the south side of W. 7th, while the parcels abutting Grand/Ramsey across from the study area are a mixture of B5 Central Business Service (United/Children's Hospitals) and TN2 (medical office buildings along W. 7th).

Auto body and auto repair uses predominate along both sides of this section of W. 7th. Surface parking for Kraus Anderson, Bonfe's and the Salvation Army takes up a fair amount of the land on the north side of W. 7th. On the south side of W. 7th, a large building that appears to have been some sort of auto body or auto repair business sits vacant. Residential uses sit just behind the commercial uses along W. 7th, with a range of multi-family, duplex and single-family housing just across the street or alley from commercial zoning and land uses. The residential fabric south and east of W. 7th is some of the oldest housing in the city, and is the location of a potential Uppertown historic or neighborhood conservation district.

DISTRICT 9 AREA PLAN

The purpose of the zoning study and moratorium is to assess whether existing commercial zoning furthers the *District 9 Area Plan's* Jobs and Economic Development Strategies while at the same time complementing the District's Housing Objectives.

Jobs and Economic Development Strategies

The *District 9 Area Plan* promotes the retention of a thriving W. 7th Street as the neighborhood's major commercial corridor. The Plan notes that, while there may be satellite commercial areas (e.g., at the Randolph, Shepard and Chestnut intersections), they should not compete with businesses on W. 7th.

The key Plan strategies for Jobs and Economic Development that pertain to this zoning study are:

1. Support "nodes" of retail businesses at the intersections of W. 7th and Kellogg, Smith, St. Clair, Jefferson, Randolph, and Montreal/Lexington, rather than a continuous strip of retail throughout the length of W. 7th.
2. Investigate ways to incorporate the Fort Road Design Guidelines for commercial areas into City code, including as a city-wide requirement or as an overlay district.

Housing Strategies

The key strategies for Housing that pertain to this zoning study are:

1. Maintain the character of existing residential areas by keeping zoning appropriate to residential neighborhoods.
2. Promote those stretches of W. 7th between key nodes as the appropriate location for higher-density residential use, in order to add diversity to the housing stock while preserving the traditional neighborhood fabric and supporting existing and future transit investment.
3. Identify strategic areas to incorporate mixed-use and higher-density development in context with existing structures.

PROPOSED ZONING

Staff recommends rezoning the B3 General Business, B2 Community Business and VP Vehicular Parking parcels to T2 Traditional Neighborhood, as T2 is most consistent with the strategies noted above. (As per the City Council's direction, the residentially-zoned parcels within the study area will remain as they are.) For this stretch of W. 7th and Grand/Ramsey, T2 zoning will allow for both a concentration of retail businesses at key nodes and higher-density residential use between nodes, and it will provide design guidelines that address the key design goals of the Fort Road Design Guidelines.

Because of the significant presence of auto repair and auto body uses in the study area, a closer look at the impact of the proposed T2 zoning on these uses is warranted. Bonfe's has two licenses. At 380 W. 7th, it has an auto body shop license; at 337 W. 7th, it has an auto repair license. Both are currently zoned B3. Currently, the auto body business is legally nonconforming, while the auto repair business is conforming. If zoned to T2, both would be legally nonconforming.

The recent Central Corridor/TN zoning amendments, effective 6-4-11, included the following:

Sec. 62.106. Nonconforming uses of structures, or structures and land in combination.

- (o) Existing auto body shops located in zones other than industrial zones shall be considered, for purposes of changes in nonconforming uses, as B3 uses. Auto body shops that are legally nonconforming in T2-T4 and B3 zoning districts may expand even though they are not permitted uses in these zoning districts. Auto service stations in T2, T3 and B2 zoning districts which remove their gas tanks and pumps will be regarded as legal nonconforming auto repair stations. Auto repair stations and auto specialty stores that are legally nonconforming in T2-T4 zoning districts may expand even though they are not permitted uses in these zoning districts.

Under this change, legally nonconforming body shops, auto repair stations and auto specialty stores are allowed to expand in the T2 zone. This would be no change for Bonfe's auto body shop, but it would be a change for the auto repair shop. As such, they'd be allowed to rebuild under State law (462.357 Subd.1e.) and expand under City law. The only difference the rezoning would make for the auto repair shop is, if the nonconforming auto repair shop ceases to exist for more than 365 days, the use could not be re-established without getting a re-establishment of nonconforming use permit from the Planning Commission (which is already the case for the nonconforming auto body shop).

For the parcels across Grand/Ramsey from United/Children's Hospitals, T2 would allow medical or dental clinics and labs, but would require a Conditional Use Permit for a hospital. This would allow for appropriate consideration of neighborhood impact, and consistency with the District 9 Plan and other chapters of the Comprehensive Plan should expansion of United/Children's Hospitals be proposed at some point in the future.

Planning Commission
June 2, 2011
Page Four

RECOMMENDATION

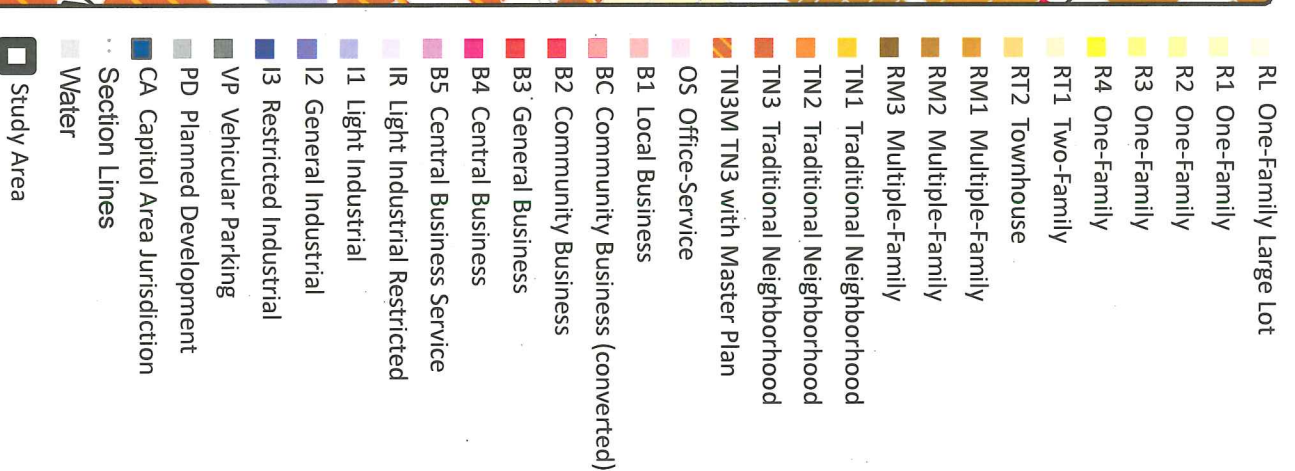
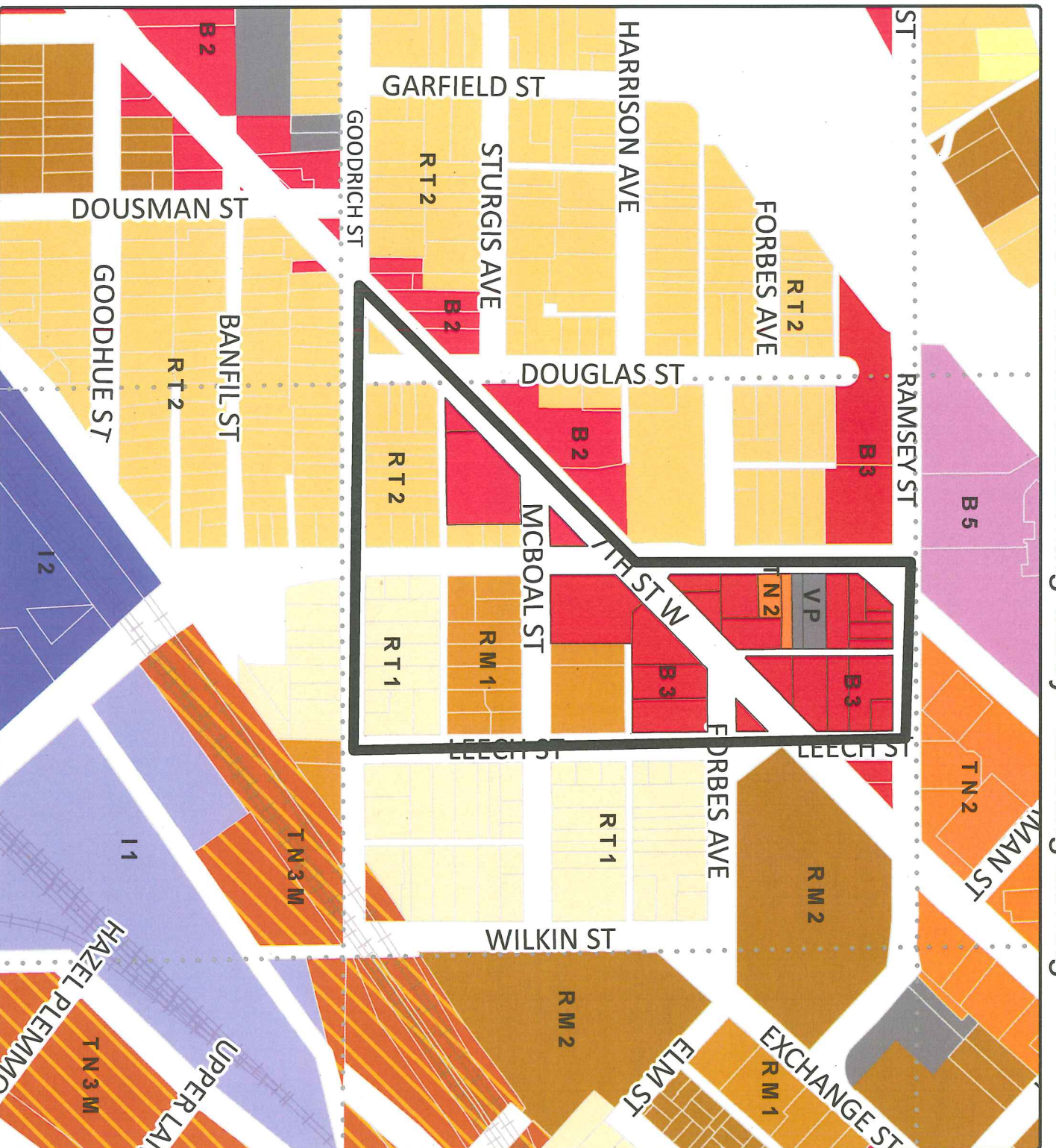
The Neighborhood Planning Committee recommends the Planning Commission release the recommendation to rezone the B3, B2 and VP parcels within the District 9 Commercial Zoning Study area to T2, in order to ensure consistency with the strategies of the *District 9 Area Plan*, and set a public hearing for July 22, 2011.

Attachments:

- Existing Zoning Map
- Parcel Chart
- Proposed Zoning Map

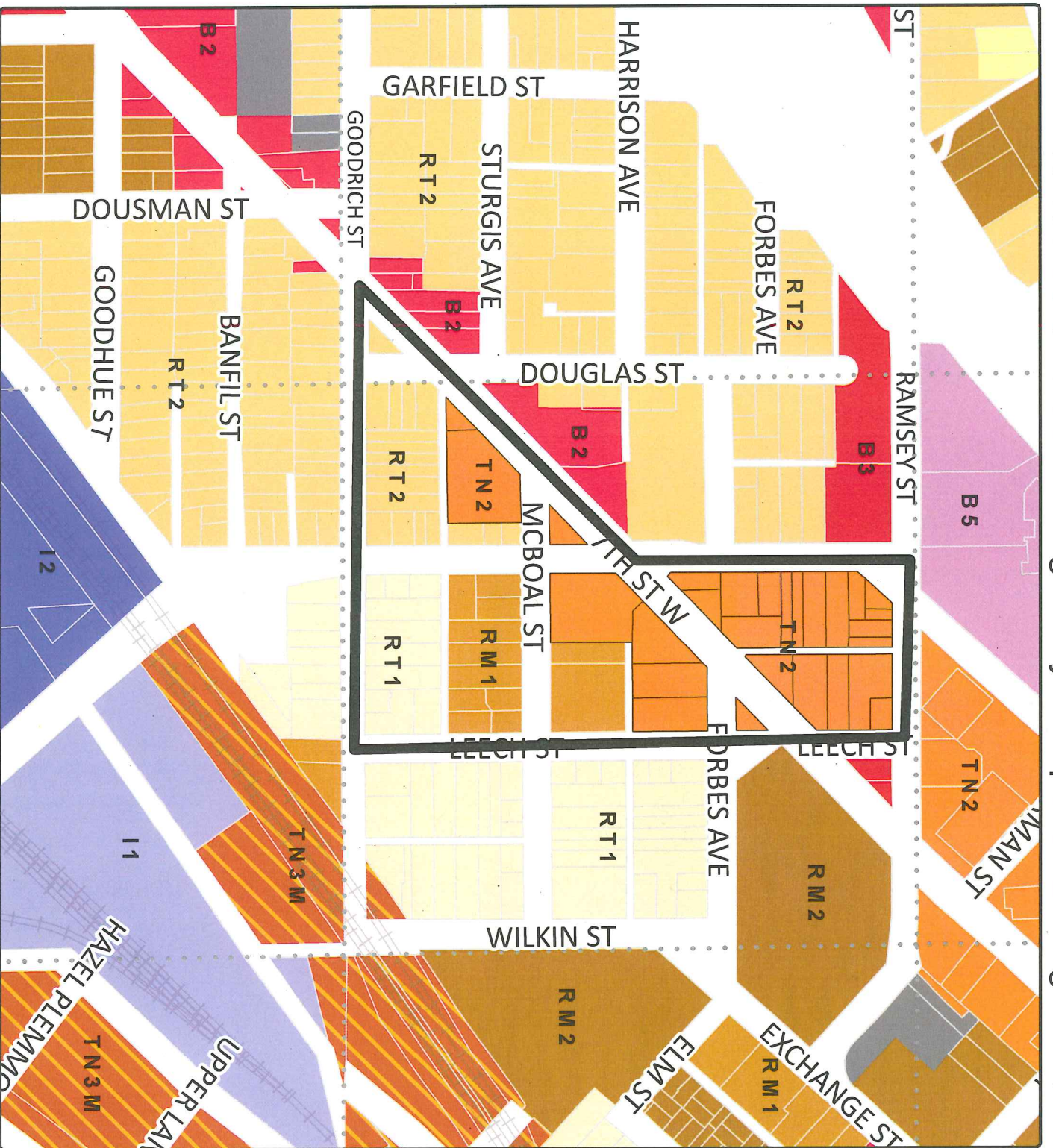
District 9 Commercial Zoning Study - Existing Zoning

SAINT PAUL ZONING DISTRICTS



District 9 Commercial Zoning Study - Proposed Zoning

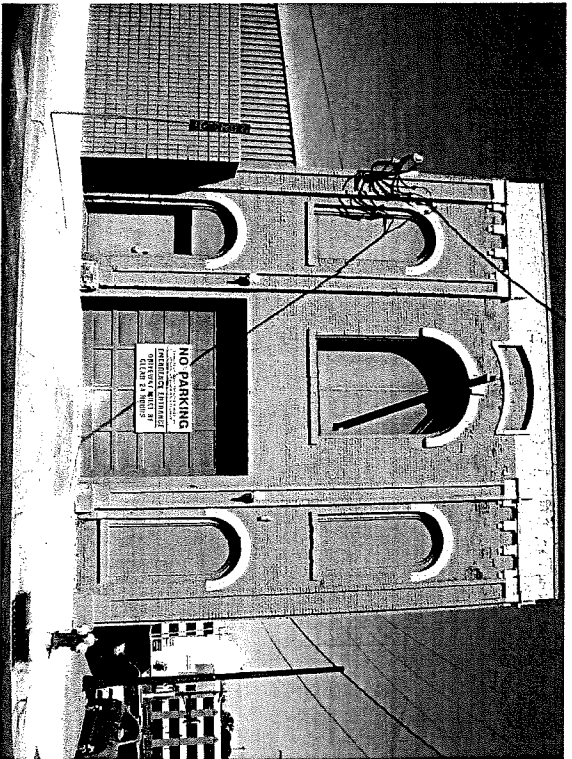
SAINT PAUL ZONING DISTRICTS



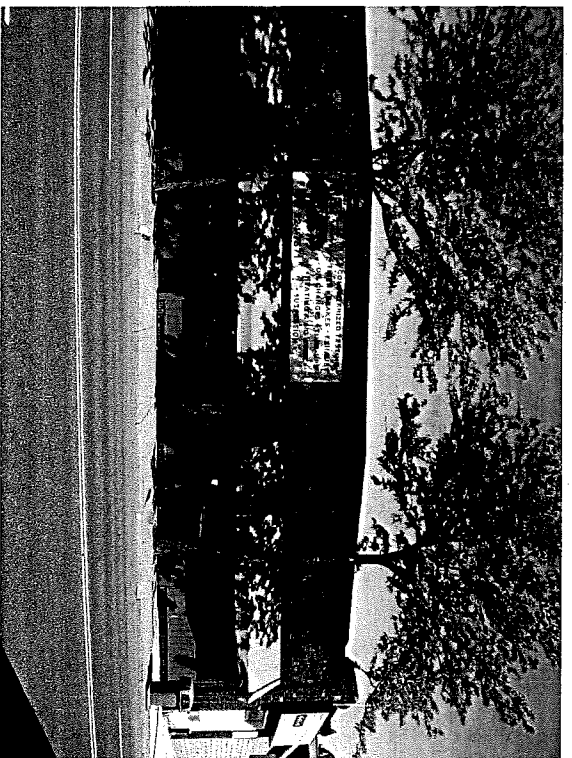
- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- TN1 Traditional Neighborhood
- TN2 Traditional Neighborhood
- TN3 Traditional Neighborhood
- TN3M TN3 with Master Plan
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IR Light Industrial Restricted
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction
- Section Lines
- Water
- Study Area



District 9 Commercial Zoning Study



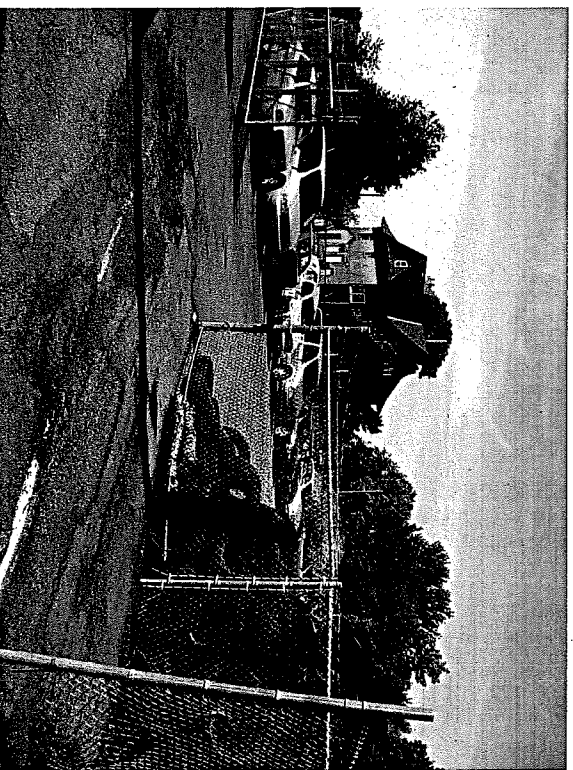
1. Vacant building at Leech and Grand/Ramsey



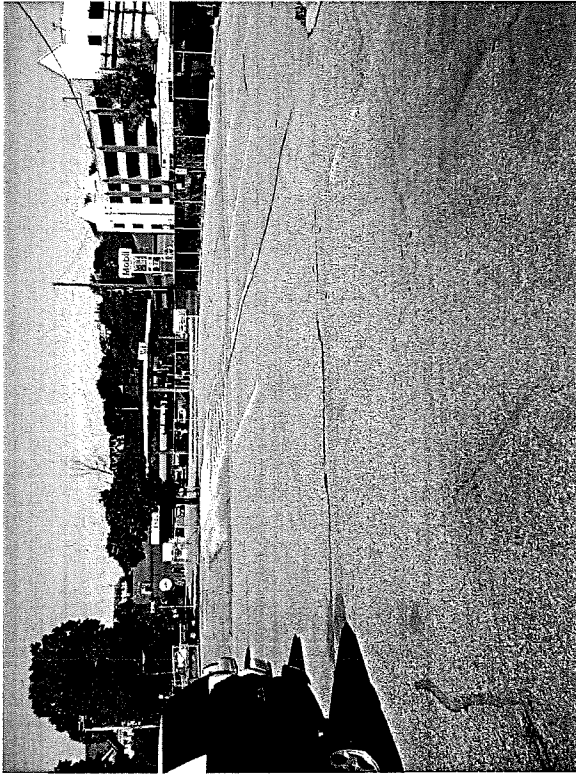
3. Bonté's Mechanical Service at W. 7th/Leech



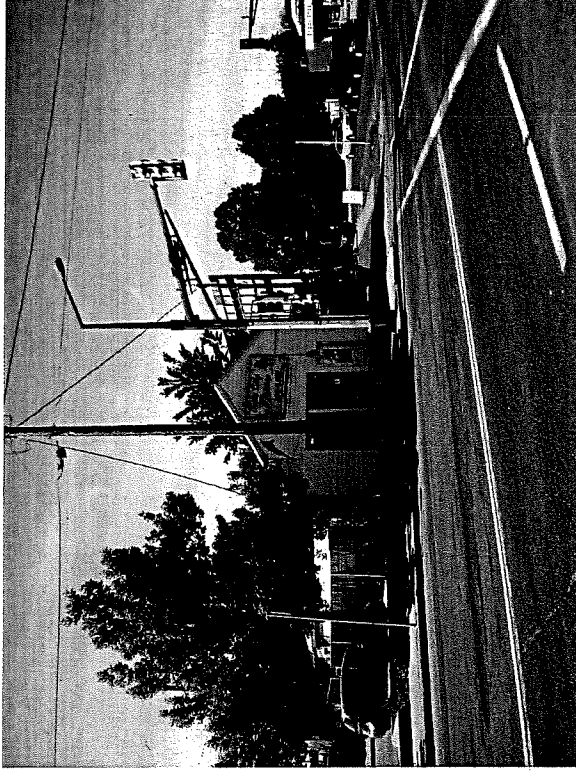
2. United/Children's Hospital (background) faces study area along Grand/Ramsey



4. Surface parking for KA and Bonté's in center of block bounded by Grand/Ramsey, Leech, W. 7th and Smith



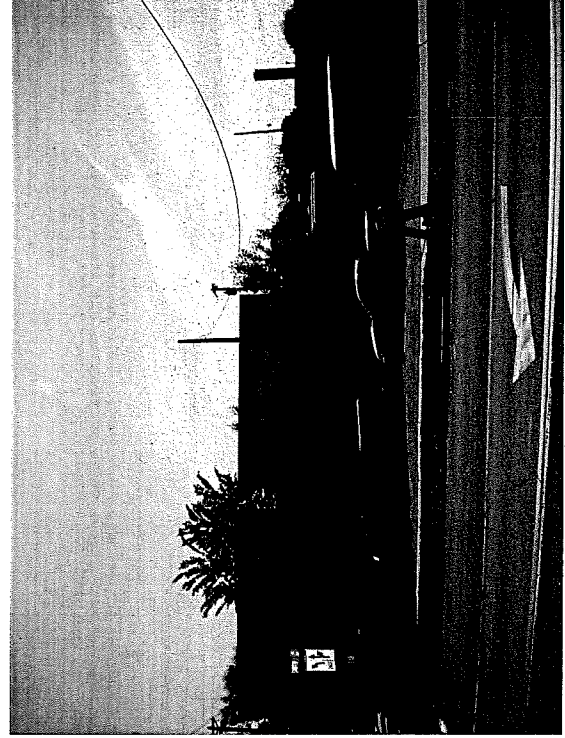
5. Surface parking along Smith Avenue between Grand/Ramsey and W. 7th



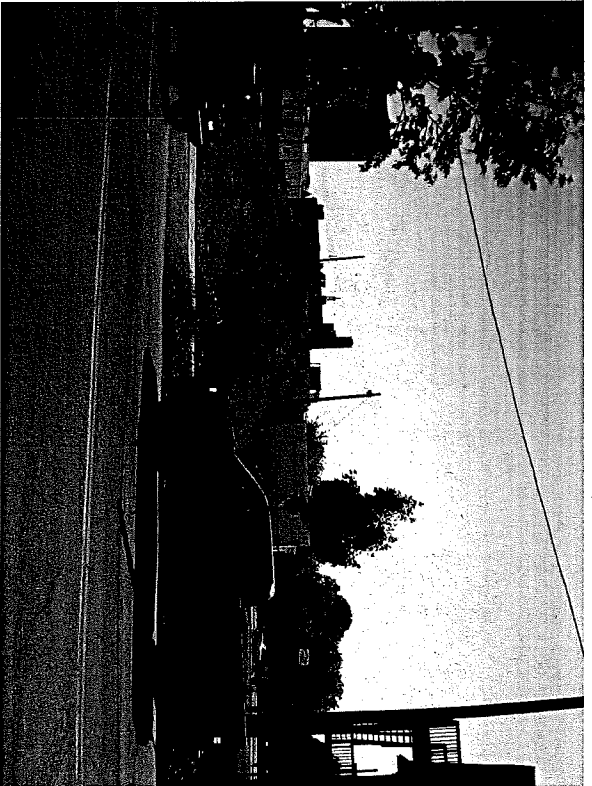
6. TC Flowers at Grand/Ramsey gateway



8. Grand/Ramsey street face with KA Offices and vacant building



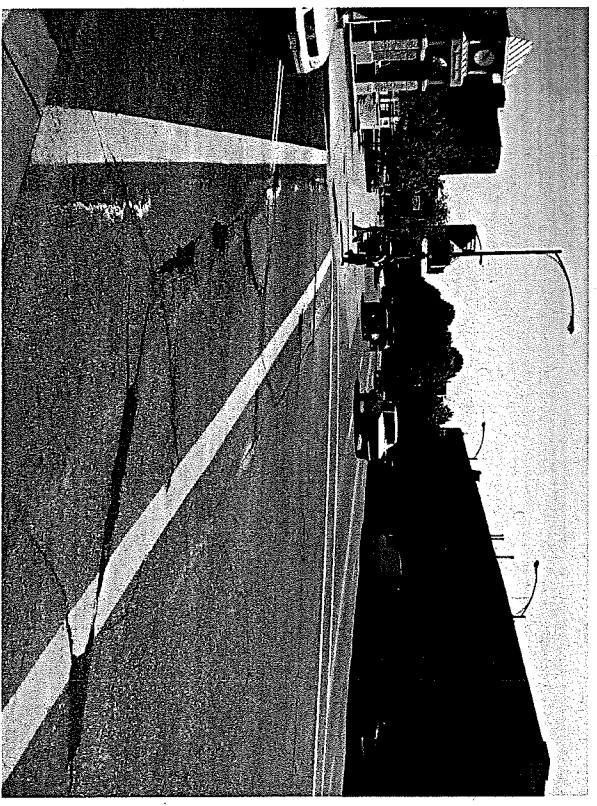
7. Billboards at Grand/Ramsey gateway



9. Vacant land between KA parking and boarded-up house (Smith Avenue between Grand/Ramsey and W. 7th)



11. Vacant tire repair business at W. 7th/McBoal



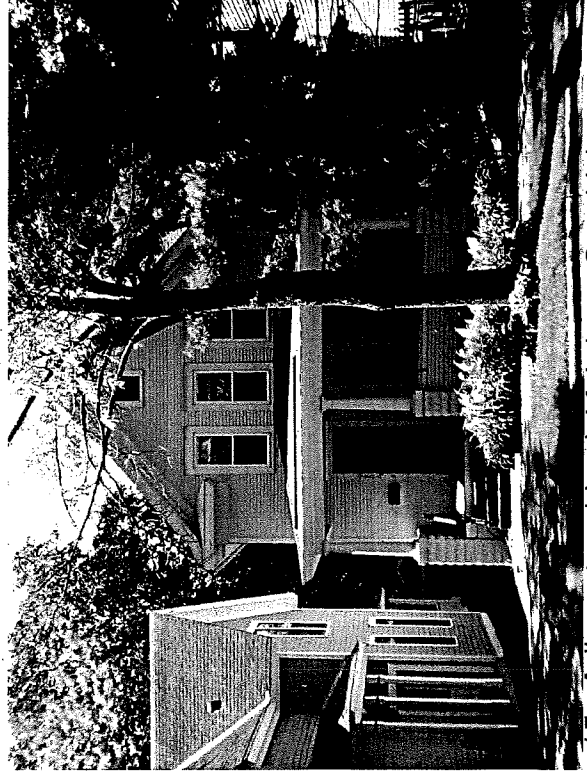
10. W. 7th looking east at Smith Avenue – Bonfe's Auto Body on the right



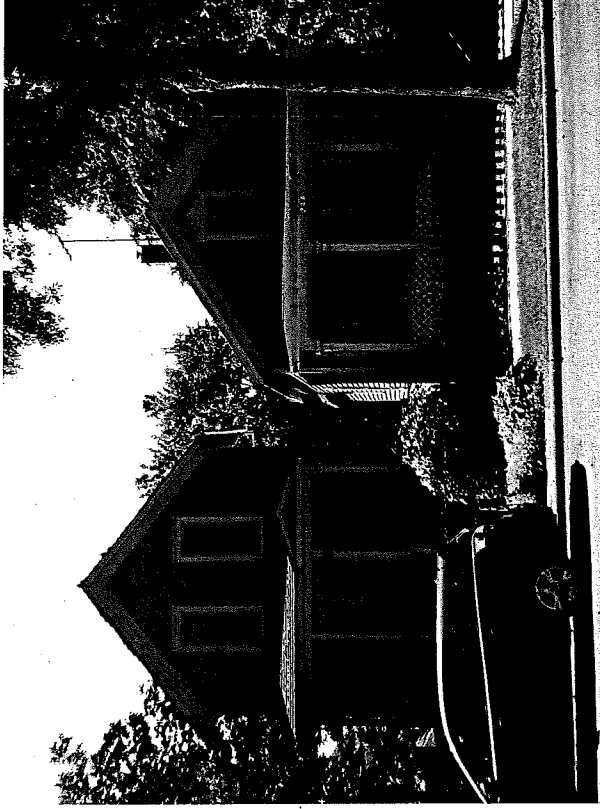
12. Alley edge behind vacant tire repair business



13. Looking west down W. 7th at McBoal (parking lot for vacant tire repair)



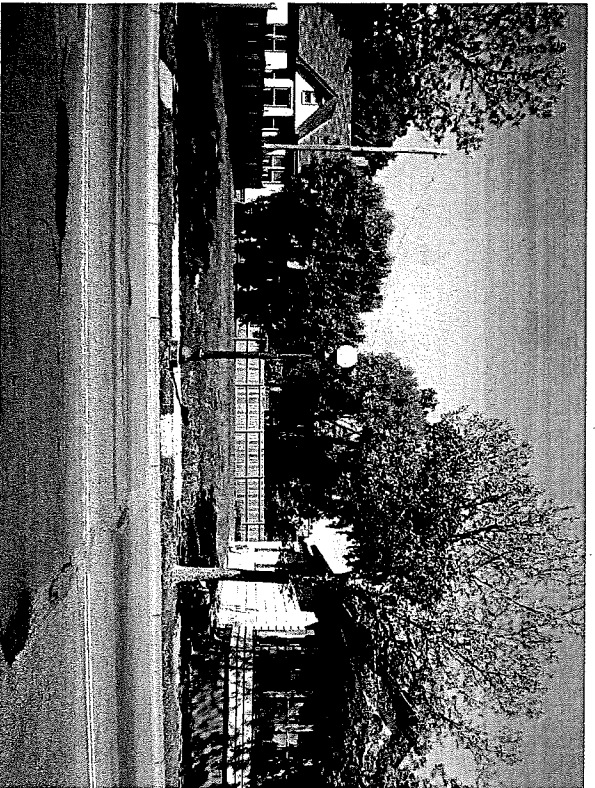
15. Adjacent residential fabric on Goodrich – part of potential Uppertown district – zoned RT2



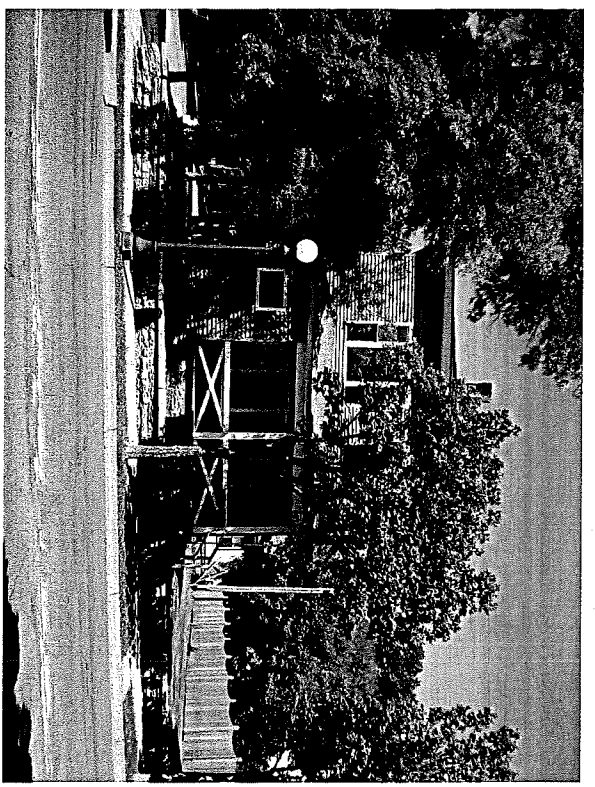
14. Adjacent residential fabric on Goodrich – part of potential Uppertown district – zoned RT2



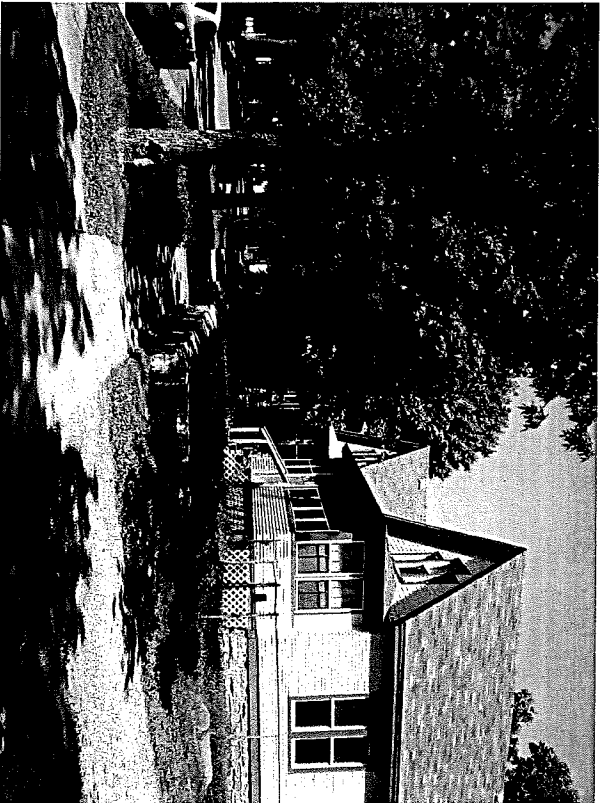
16. Typical residential street southeast of W. 7th; mix of single-family, duplex; zoned RT1, RT2 and RM1



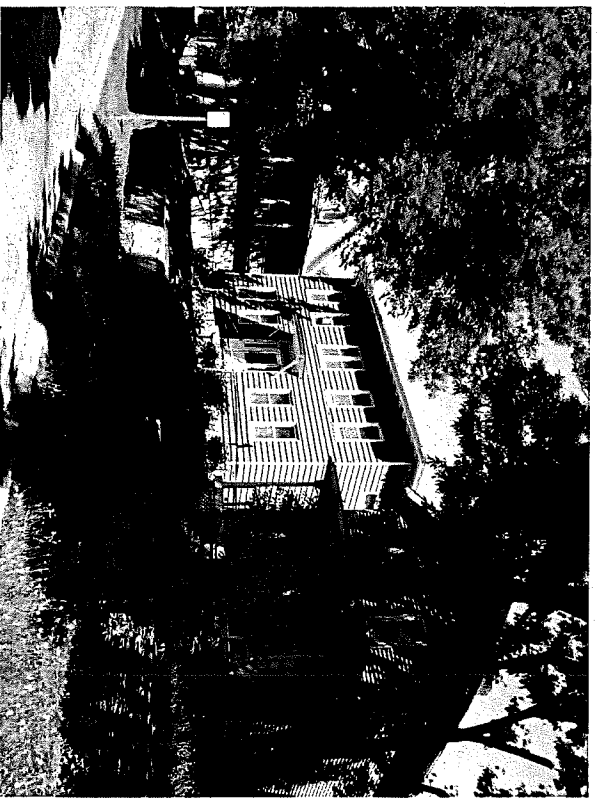
17. Adjacent residential fabric southeast of W. 7th



18. Adjacent residential fabric southeast of W. 7th



19. Goodrich Avenue



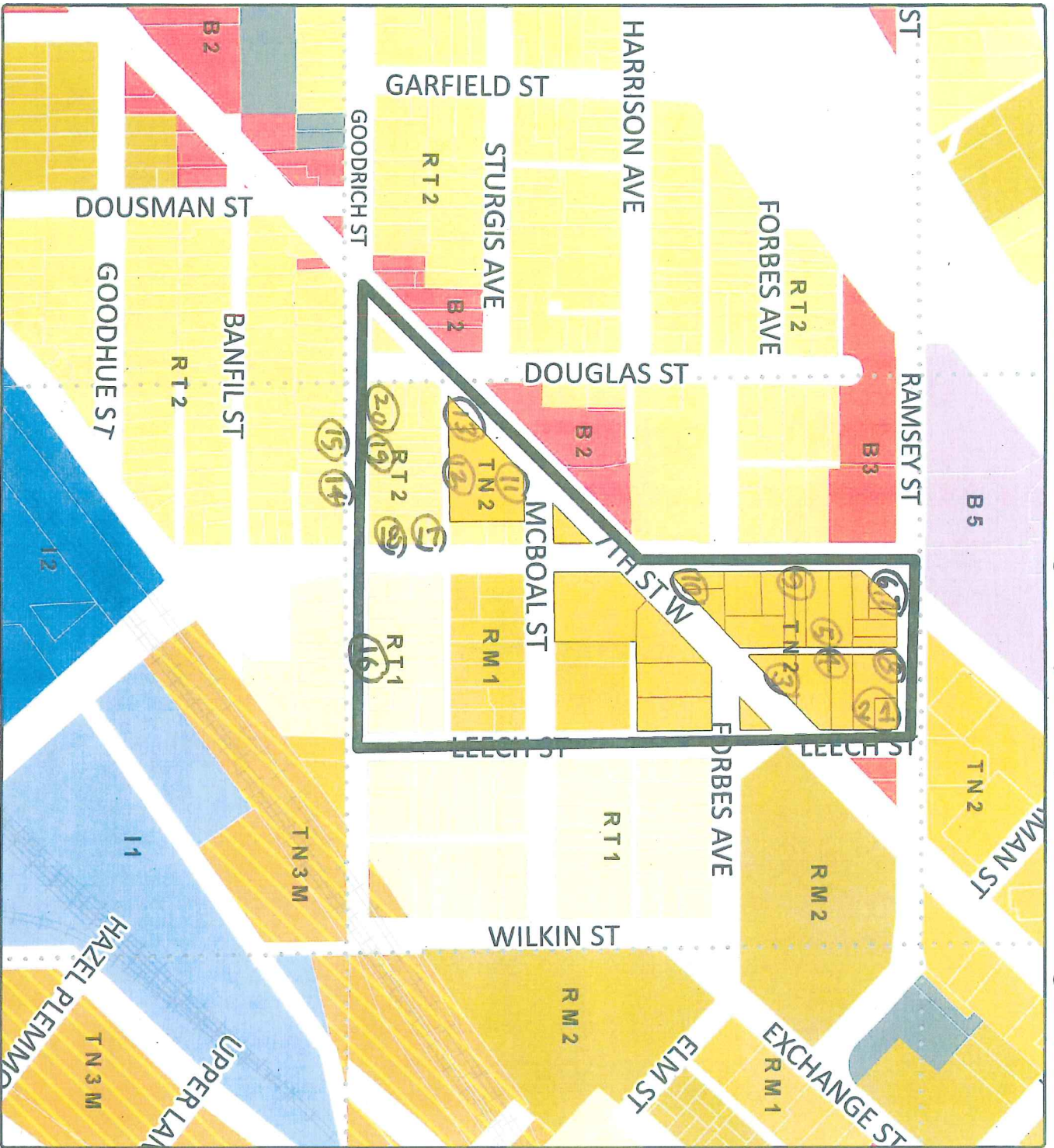
20. Goodrich Avenue

District 9 Commercial Zoning Study

PIN	PROP ADDR	FEE OWNER	FEE OWNER ADDR	FEE CITY	EXISTING ZONING	PROPOSED ZONING	EXISTING LAND USE
012823410002	1 LEECH ST	Kraus Anderson Of St Paul Co	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Vacant building
012823410003	200 GRAND AVE	Kraus Anderson	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Kraus Anderson Offices
012823410004	13 LEECH ST	Kraus Anderson Of St Paul Co	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Vacant building
012823410005	341 7TH ST W	Kraus Anderson Of St Paul Co	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Bonfe's Mechanical Service
012823410006	358 7TH ST W	City of St Paul	25 4th St W Rm 1000	Saint Paul MN 55102-1692	B3	T2	Entry sign for Sherman Forbes
012823410009	378 SMITH AVE N	Kraus Anderson Construction C	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	T2	T2	Boarded-up dwelling
012823410010	376 SMITH AVE N	Kraus Anderson Construction C	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	T2	T2	Vacant building
012823410011	372 SMITH AVE N	Bonfe Properties LLP	337 7th St W	St Paul MN 55102-2327	VP	T2	Parking
012823410012	366 SMITH AVE N	Bonfe Properties LLP	337 7th St W	St Paul MN 55102-2327	VP	T2	Parking
012823410013	362 SMITH AVE N	Kraus Anderson Of St Paul Co	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Kraus Anderson employee parking
012823410014	358 SMITH AVE N	Kraus Anderson Of St Paul Co	PO Box, 158 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Kraus Anderson parking
012823410015	210 GRAND AVE	Dale E Becker	210 Grand Ave	St Paul MN 55102-2319	B3	T2	TC Flowers
012823410016	218 GRAND AVE	Naegele Outdoor Advtsng Co	3225 Spring St Ne	Minneapolis MN 55413-2908	B3	T2	Two billboards, parking for TC Flowers
012823410017	206 GRAND AVE	Kraus Anderson Construction C	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Parking
012823410018	202 GRAND AVE	Kraus Anderson Of St Paul Co	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Parking
012823410021	337 7TH ST W	Bonfe Properties LLP	337 7th St W	St Paul MN 55102-2327	B3	T2	Bonfe's Mechanical Service
012823410047	400 7TH ST W	City Of St Paul Real Estate	25 4th St W Rm 1000	Saint Paul MN 55102-1692	B2	T2	Vacant (parklet)
012823410050	186 FORBES AVE	Health One Corporation	1700 82nd St W Ste 100	Bloomington MN 55431-1423	B3	T2	Allina Medical Transportation
012823410051	190 FORBES AVE	Bonfes 196 LLC	380 7th St W	St Paul MN 55102-2732	B3	T2	Allina Medical Transportation
012823410140	414 7TH ST W	Alliance Bank	55 5th St E Ste 115	St Paul MN 55101-2700	B2	T2	Vacant auto repair station
012823410169	380 7TH ST W	Bonfe Properties LLP	380 7th St W	St Paul MN 55102-2732	B3	T2	Holy Mackerel Tattoo
012823410170	380 7TH ST W	Bonfes Auto Service Inc	380 7th St W	St Paul MN 55102-2732	B3	T2	Bonfe's Auto Service and Body Repair
012823410171	384 SMITH AVE N	Kraus-Anderson Construction C	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Salvation Army visitor parking
012823410172	205 FORBES AVE	Kraus-Anderson Construction C	PO Box 158, 8625 Rendova St N4	Circle Pines MN 55014-0158	B3	T2	Bonfe's Mechanical Service
012823410173	375 7TH ST W	Salvation Army	2445 Prior Ave N	Roseville MN 55113-2714	B3	T2	Bonfe's Mechanical Service
012823410174	383 7TH ST W	Salvation Army	2445 Prior Ave N	Roseville MN 55113-2714	B3	T2	Salvation Army clock tower, sign
012823410176	444 7TH ST W	Christine Hajney/Troy K Buegel	600 Valley Ln	Mendota Heights MN 55118-1843	B2	T2	Vacant land

District 9 Commercial Zoning Study - Proposed Zoning

Key to Study Area Photos



SAINT PAUL ZONING DISTRICTS

- RL One-Family Large Lot
- R1 One-Family
- R2 One-Family
- R3 One-Family
- R4 One-Family
- RT1 Two-Family
- RT2 Townhouse
- RM1 Multiple-Family
- RM2 Multiple-Family
- RM3 Multiple-Family
- TN1 Traditional Neighborhood
- TN2 Traditional Neighborhood
- TN3 Traditional Neighborhood
- TN3M TN3 with Master Plan
- OS Office-Service
- B1 Local Business
- BC Community Business (converted)
- B2 Community Business
- B3 General Business
- B4 Central Business
- B5 Central Business Service
- IR Light Industrial Restricted
- I1 Light Industrial
- I2 General Industrial
- I3 Restricted Industrial
- VP Vehicular Parking
- PD Planned Development
- CA Capitol Area Jurisdiction
- Section Lines
- Water
- Study Area

